

**MINUTES OF THE MEETING OF THE CITY COUNCIL**

Wichita, Kansas, October 7, 2003  
Tuesday, 9:03 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Lambke, Martz, Schlapp present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Karen Schofield, City Clerk; present.

Reverend Luis Mendez, Fairview Christian Church, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

The Minutes of the regular meeting of September 16, 2003, were approved 7 to 0.

The Minutes of the Special Council Meeting of September 30, 2003, were approved 7 to 0.

The Minutes of the Special Council Meeting of October 3, 2003, were approved 7 to 0.

**AWARDS AND PRESENTATIONS**

PROCLAMATIONS	Proclamations previously approved were presented.
WICHITA'S PROMISE	Wichita's Promise-Youth Service Awards were presented.
EMPLOY. RECOG.	LaTricia Harper, Public Information Coordinator, was recognized for her nomination of PR Professional of the Year.

**PUBLIC AGENDA****Gary Williamson-Water Drainage Problems, 5549 North Athenian.**

Gary Williamson	Gary Williamson stated that he has been having storm drainage problems for the last three to four years. He has requested several times to have the drains cleaned out and has had no success. Mr. Williamson said that a partial drain was installed this year in his back yard, but it is not enough to help with the problem. Mr. Williamson feels that the drain needs to be installed in front of his house to 57 <sup>th</sup> Street as they did to 53 <sup>rd</sup> Street and in the back to be extended at least to 56 <sup>th</sup> Street. Mr. Williamson stated that the City stopped 400 feet short of fixing the problem.
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**Marydel Grayum-Plastic Recycling of Kansas, Inc. (follow-up).**

Marydel Grayum	Ms. Grayum stated that she is here again requesting use and space of a city owned building. She feels that it is important that the City of Wichita be seen as doing something to help with recycling. Stated that their final recycling drive was very successful and that their goal is to keep items out of the landfill whatever they might be. She is not asking for money or staffing help but a building or warehouse space, which is a critical part of this plan.
Council Member Fearey	Council Member Fearey suggested that this might be an issue to discuss in a meeting with the county and school district since it is a community wide issue.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 172

- Mayor Mayans Mayor Mayans requested that the City Council allow Carol Schlaser, from Planeview Park to speak on the Public Agenda.
- There were no objections from the Council.
- Carol Schlaser Carol Schlaser reported that the sale of Planeview Park land by the City of Wichita is in violation of the Land and Water Conservation Act. The Land and Water Conservation fund agreement No. 20-00220, in 1972 was for 130 acres of Planeview Park including the area that the City sold. These funds were provided by the Kansas Department of Wildlife and Parks and the National Park Service and both entities have been notified of the sale of this encumbered land. The Land and Water Conservation Fund Act stipulates that funded land has to be maintained and available to the public for recreation forever. Before any sale of this land could occur, first ,everything must be done properly by City law and secondly the State of Kansas Wildlife and Parks must be contacted to be certain that what is being done is not in violation of the Land and Water Conservation Act.
- This park land cannot be sold without the permission of the Secretary of Interior of the United States. If sale of park land should be allowed, negotiations would probably require the City to purchase replacement park land. Ms. Schlaser is requesting that the City of Wichita act immediately and not allow demolition or construction on this park land site until the numerous legal issues have been addressed.
- Council Member Fearey Council Member Fearey stated that this sounds like a bad situation that we might be getting into and if a building permit has been issued for the building at that site.
- Gary Rebenstorf Gary Rebenstorf stated that this issue should be looked into right away.

## NEW BUSINESS

### **PROPOSED. ASSESS. PUBLIC HEARING ON PROPOSED ASSESSMENTS FOR (31) THIRTY-ONE WATER PROJECTS, (30) THIRTY SEWER PROJECTS AND (6) SIX STORM WATER PROJECTS IN FEBRUARY 2004 BOND SALE SERIES 776.**

- Neil Cable City Engineer reviewed the item.
- Agenda Report 03-1003
- The Council was notified on September 9, 2003 that the proposed assessment rolls were on file for public inspection in the Debt Management Office of the Finance Department.
- Notice of hearing was published September 12, 2003 being not less than ten days prior to the date of hearing. Property owners have been notified in writing. City personnel held an informal hearing October 1, 2003 at 11:00 A.M., for the water and sewer projects.
- Statements of Special Assessment will be mailed to the property owners on October 24, 2003. The property owners have 30 days from date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the February 2004 Bond Sale. The interest added to the principal amount will be determined by the rate at which the bonds sale. The principal and interest will then be spread over 15-years and placed on the 2004 tax roll.
- These projects were initiated pursuant to provisions of K.S.A. 12-6a01 et seq. All were 100% petitions with the exception of:

#### Sewer Projects

468-82967

51.30% Petition

Lateral 88, Main 9, SWI

Mosley, 10th & 11th Street

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 173

## WATER PROJECTS:

- a) (448-88708/470-741) – Constructing Water Distribution System No. 448-88708 TO SERVE FOREST LAKES as authorized by Resolution No. R-93-136, adopted April 6, 1993, and published April 9, 1993. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$35,750.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- b) (448-89205/470-789) – Constructing Water Distribution System No. 448-89205 TO SERVE FOREST LAKES WEST as authorized by Resolution No. R-97-340, adopted September 23, 1997, and published September 26, 1997. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$34,728.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- c) (448-89428/470-746) – Constructing Water Distribution System No. 448-89428 TO SERVE THE HIGHLAND SPRINGS SECOND ADDITION as authorized by Resolution No. R-99-373, adopted September 28, 1999, and published October 1, 1999. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$49,761.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- d) (448-89490/470-751) – Constructing Water Distribution System No. 448-89490 TO SERVE EVERGREEN AND EVERGREEN Third ADDITIONS as authorized by Resolution No. R-00-308, rescinded by Resolution No. R-03-017, adopted August 8, 2000 & January 7, 2003, and published August 11, 2000 & January 11, 2003. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$60,166.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- e) (448-89568/470-697) – Constructing Water Distribution System No. 448-89568 TO SERVE THE REMINGTON PLACE ADDITION as authorized by Resolution No. R-01-149, adopted April 24, 2001, and published April 28, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$82,476.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- f) (448-89583/470-740) – Constructing Water Distribution System No. 448-89583 TO SERVE THE FLAT CREEK ADDITION as authorized by Resolution No. R-01-236, adopted June 5, 2001, and published June 8, 2001. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$67,027.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- g) (448-89592/470-733) – Constructing Water Distribution System No. 448-89592 TO SERVE THE RIDGE PORT NORTH Fourth ADDITION as authorized by Resolution No. R-01-309, adopted July 24, 2001, and published July 28, 2001, corrected & republished August 3, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$59,985.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- h) (448-89630/470-704) – Constructing Water Distribution System No. 448-89630 TO SERVE THE LEGACY ADDITION as authorized by Resolution No. R-01-473, amended by Resolution No. R-02-307, adopted November 20, 2001 & July 2, 2002, and published November 24, 2001, corrected & republished June 10, 2002 & July 8, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$33,501.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 174

- i) (448-89651/470-748) – Constructing Water Distribution System No. 448-89651 TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION as authorized by Resolution No. R-02-050, adopted January 15, 2002, and published January 19, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$51,552.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- j) (448-89658/470-763) – Constructing Water Distribution System No. 448-89658 TO SERVE SPRINGDALE EAST SECOND ADDITION as authorized by Resolution No. R-02-494, adopted November 19, 2002, and published November 25, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$47,448.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- k) (448-89664/470-724) – Constructing Water Distribution System No. 448-89664 TO SERVE PART OF THE MCCLAREN ADDITION as authorized by Resolution No. R-02-120, adopted March 5, 2002, and published March 9, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$587.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.
- l) (448-89680/470-755) – Constructing Water Distribution System No. 448-89680 TO SERVE THE GRAY'S Fifth ADDITION as authorized by Resolution No. R-02-362, adopted August 6, 2002, and published August 10, 2002, corrected & republished July 31, 2003. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$53,579.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- m) (448-89682/470-754) – Constructing Water Distribution System No. 448-89682 TO SERVE GRAY'S Fifth AND HOPE COMMUNITY BAPTIST CHURCH ADDITIONS as authorized by Resolution No. R-02-363, adopted August 6, 2002, and published August 10, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$49,396.00 is to be apportioned 69.68% payable by the improvement district and 30.32% of the total cost payable by the Water Utility Fund. The cost has been assessed on a fractional basis.
- n) (448-89686/470-738) – Constructing Water Distribution System No. 448-89686 TO SERVE THE MEDITERRANEAN PLAZA ADDITION as authorized by Resolution No. R-02-293, adopted June 18, 2002, and published June 22, 2002, corrected & republished July 1, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$23,599.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- o) (448-89691/470-744) – Constructing Water Distribution System No. 448-89691 TO SERVE CHADSWORTH PLAZA ADDITION as authorized by Resolution No. R-02-272, adopted June 4, 2002, and published June 8, 2002, corrected & republished June 18, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$24,023.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- p) (448-89697/470-745) – Constructing Water Distribution System No. 448-89697 TO SERVE THE FOSSIL RIM ESTATES & UNPLATTED TRACT "A" as authorized by Resolution No. R-02-257, adopted May 21, 2002, and published May 25, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$125,871.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- q) (448-89699/470-739) – Constructing Water Distribution System No. 448-89699 TO SERVE RIDGE PORT COMMERCIAL PARK AND RIDGE PORT SECOND ADDITION as authorized by

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 175

Resolution No. R-02-301, adopted June 18, 2002, and published June 22, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$96,646.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

r) (448-89703/470-742) – Constructing Water Distribution System No. 448-89703 TO SERVE NORTHEAST MIDDLE SCHOOL ADDITION as authorized by Resolution No. R-02-321, adopted July 2, 2002, and published July 8, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$45,904.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

s) (448-89709/470-750) – Constructing Water Distribution System No. 448-89709 TO SERVE SUNNYSIDE GARDENS SECOND ADDITION as authorized by Resolution No. R-02-397, adopted September 10, 2002, and published September 14, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$38,650.00 is to be apportioned 96% payable by the improvement district, 4% payable by the Water Utility Fund. The cost has been assessed on a square foot basis.

t) (448-89710/470-747) – Constructing Water Distribution System No. 448-89710 TO SERVE CARPENTERS LOCAL UNION NO. 201 ADDITION AND UNPLATTED TRACTS as authorized by Resolution No. R-02-372, adopted August 13, 2002, and published August 17, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$25,448.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

u) (448-89717/470-749) – Constructing Water Distribution System No. 448-89717 TO SERVE SAVANNA AT CASTLE ROCK RANCH Ninth as authorized by Resolution No. R-02-441, adopted October 1, 2002, and published October 5, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$46,551.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

v) (448-89719/470-752) – Constructing Water Distribution System No. 448-89719 TO SERVE THE EAST 150 FEET OF LOT 38, EXCEPT THE NORTH 10 FEET AND THE EAST 30 FEET THEREOF, VALLEY ACRES as authorized by Resolution No. R-02-456, adopted October 8, 2002, and published October 12, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$9,286.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

w) (448-89727/470-756) – Constructing Water Distribution System No. 448-89727 TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-467, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$37,567.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

x) (448-89732/470-758) – Constructing Water Distribution System No. 448-89732 TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-469, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$29,445.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 176

y) (448-89735/470-759) – Constructing Water Distribution System No. 448-89735 TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-470, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$46,336.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

z) (448-89736/470-760) – Constructing Water Distribution System No. 448-89736 TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-471, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$31,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

aa) (448-89743/470-764) – Constructing Water Distribution System No. 448-89743 TO SERVE SOUTH HIGH SCHOOL ADDITION as authorized by Resolution No. R-02-504, adopted November 19, 2002, and published November 25, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$9,611.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

bb) (448-89751/470-772) – Constructing Water Distribution System No. 448-89751 TO SERVE REFLECTION RIDGE Third ADDITION as authorized by Resolution No. R-02-502, adopted November 19, 2002, and published November 25, 2002, corrected & republished March 18, 2003. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$29,217.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

cc) (448-89759/470-782) – Constructing Water Distribution System No. 448-89759 TO SERVE SHADOW RIDGE ADDITION as authorized by Resolution No. R-02-557, adopted December 10, 2002, and published December 14, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$19,378.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

dd) (448-89761/470-770) – Constructing Water Distribution System No. 448-89761 TO SERVE WILSON ESTATES MEDICAL PARK, AND LEGACY PARK TRACT as authorized by Resolution No. R-02-589, adopted December 17, 2002, and published December 21, 2002, corrected & republished January 14, 2003. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$50,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

ee) (448-89762/470-777) – Constructing Water Distribution System No. 448-89762 TO SERVE POWER CDC SECOND ADDITION as authorized by Resolution No. R-02-585, adopted December 17, 2002, and published December 21, 2002. Petition for this improvement was signed by owners representing 100% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$38,563.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 177

## SEWER PROJECTS:

ff) (468-82832/480-442) - Constructing LATERAL 95, SANITARY SEWER #23, TO SERVE UNPLATTED TRACT as authorized by Resolution No. R-98-187, adopted May 12, 1998, and published May 15, 1998. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$4,428.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

gg) (468-82967/480-481) - Constructing LATERAL 88, MAIN 1, SOUTHWEST INTERCEPTOR SEWER, TO SERVE SCOTT & WEIR; PILLSBURY; STARDUST, BOSLEY'S FIRST ADDITIONS, & UNPLATTED TRACTS SEC. 8 & 9 as authorized by Resolution No. R-99-085, amended by Resolution No. R-01-216, & amended by Resolution No. R-03-357, adopted March 2, 1999, May 22, 2001 & July 8, 2003, and published March 5, 1999, corrected & republished Dec. 17, 2002, & Jan. 28, 2003, amended & republished May 25, 2001, July 11, 2003, corrected & republished July 25, 2003 & August 8, 2003. Petition for this improvement was signed by owners representing 51.30% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$178,870.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

hh) (468-83029/480-626) - Constructing LATERAL 24, COWSKIN INTERCEPTOR SEWER, TO SERVE HIGHLAND SPRINGS SECOND ADDITION AND UNPLATTED TRACT "A" as authorized by Resolution No. R-99-376, adopted September 28, 1999, and published October 1, 1999, corrected & republished August 1, 2002, & August 19, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$92,490.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ii) (468-83148/480-635) - Constructing LATERAL 462, SOUTHWEST INTERCEPTOR SEWER, TO SERVE EVERGREEN & EVERGREEN Third ADDITIONS as authorized by Resolution No. R-00-310, rescinded by Resolution No. R-03-018, adopted August 8, 2000 & January 7, 2003, and published August 2, 2002, & January 11, 2003. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$75,196.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

jj) (468-83241/480-591) - Constructing MAIN 12, SANITARY SEWER NO. 23, TO SERVE UNPLATTED TRACTS "A" THROUGH "Y" AND EAGLES LANDING AT NORTH OLIVER SECOND as authorized by Resolution No. R-02-053, adopted January 15, 2002, and published January 19, 2002, corrected & republished December 17, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$1,376,748.00 is to be apportioned 50% payable by the improvement district and 50% payable by the Sewer Utility Fund. The cost has been assessed on a fractional basis.

kk) (468-83276/480-612) - Constructing LATERAL 3, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, TO SERVE RIDGE PORT NORTH Fourth ADDITION as authorized by Resolution No. R-01-313, adopted July 24, 2001, and published July 28, 2001. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$145,792.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 178

ll) (468-83284/480-604) - Constructing LATERAL 1, MAIN 12, SANITARY SEWER NO. 23, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION & UNPLATTED TRACT "A" as authorized by Resolution No. R-01-339, rescinded by Resolution No. R-02-054, amended by Resolution No. R-02-241, adopted August 14, 2001, January 15, 2002, & May 21, 2002, and published August 18, 2001, January 19, 2002 & May 25, 2002, corrected & republished June 11, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$238,805.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

mm) (468-83285/480-628) - Constructing LATERAL 2, MAIN 12, SANITARY SEWER NO. 23, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION as authorized by Resolution No. R-02-055, adopted January 15, 2002, and published January 19, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$145,966.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

nn) (468-83286/480-629) - Constructing LATERAL 3, MAIN 12, SANITARY SEWER NO. 23, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION as authorized by Resolution No. R-02-056, adopted January 15, 2002, and published January 19, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$103,387.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

oo) (468-83329/480-578) - Constructing LATERAL 317, FOUR MILE CREEK SEWER, TO SERVE AN UNPLATTED TRACT OF LAND as authorized by Resolution No. R-01-414, adopted September 25, 2001, and published September 29, 2001. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$3,660.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

pp) (468-83350/480-587) - Constructing LATERAL 481, SOUTHWEST INTERCEPTOR SEWER, TO SERVE THE LEGACY ADDITION as authorized by Resolution No. R-01-474, amended by Resolution R-02-308, adopted November 20, 2001, & July 2, 2002, and published November 24, 2001, & July 8, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$44,304.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

qq) (468-83386/480-615) - Constructing LATERAL 4, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, TO SERVE RIDGE PORT COMMERCIAL PARK & RIDGE PORT SECOND ADDITION as authorized by Resolution No. R-01-516, rescinded by Resolution No. R-02-302, adopted December 11, 2001 & June 18, 2002, and published December 15, 2001 & June 22, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$123,854.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

rr) (468-83399/480-601) - Constructing MAIN 11, FOUR MILE CREEK SEWER, TO SERVE THE FAIRMONT ADDITION as authorized by Resolution No. R-02-094, rescinded by Resolution No. R-02-174, adopted February 5, 2002, April 2, 2002, and published February 9, 2002, corrected & republished March 18, 2002, & April 6, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$233,343.00 is to be apportioned 50% payable by the improvement district and 50% payable by the Sewer Utility Fund. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 179

ss) (468-83427/480-610) - Constructing LATERAL 141, MAIN 4, SANITARY SEWER NO. 23, TO SERVE UNPLATTED TRACT OF LAND as authorized by Resolution No. R-02-173, adopted April 2, 2002, and published April 6, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$12,351.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

tt) (468-83429/480-638) - Constructing MAIN 21, SOUTHWEST INTERCEPTOR SEWER, TO SERVE GRAY'S Fifth ADDITION, HOPE COMMUNITY BAPTIST CHURCH ADDITION AND UNPLATTED TRACT "B" as authorized by Resolution No. R-02-364, adopted August 6, 2002, and published August 10, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$75,310.00 is to be apportioned 50% payable by the improvement district and 50% payable by the Sewer Utility Fund. The cost has been assessed on a fractional basis.

uu) (468-83430/480-639) - Constructing LATERAL 1, MAIN 21, SOUTHWEST INTERCEPTOR SEWER, TO SERVE GRAY'S Fifth & HOPE COMMUNITY BAPTIST CHURCH ADDITIONS as authorized by Resolution No. R-02-365, adopted August 6, 2002, and published August 10, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$157,040.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

vv) (468-83432/480-611) - Constructing LATERAL 484, SOUTHWEST INTERCEPTOR SEWER, TO SERVE THE BIKE AND RIDER ADDITION as authorized by Resolution No. R-02-196, adopted April 9, 2002, and published April 13, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$2,240.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

ww) (468-83447/480-624) - Constructing LATERAL 3, MAIN 2, NORTHWEST INTERCEPTOR SEWER, TO SERVE CHADSWORTH PLAZA as authorized by Resolution No. R-02-274, adopted June 4, 2002, and published June 8, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$25,501.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

xx) (468-83448/480-625) - Constructing LATERAL 485, SOUTHWEST INTERCEPTOR SEWER, TO SERVE FOSSIL RIM ESTATES ADDITION & UNPLATTED TRACT "A" as authorized by Resolution No. R-02-258, adopted May 21, 2002, and published May 25, 2002, corrected & republished December 20, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$257,630.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

yy) (468-83480/480-627) - Constructing LATERAL 269, MAIN 5, SANITARY SEWER # 22, TO SERVE RAY ALLEN ADDITION & UNPLATTED TRACT as authorized by Resolution No. R-02-377, adopted August 13, 2002, and published August 17, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$13,499.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

zz) (468-83486/480-636) - Constructing LATERAL 3, MAIN 11, SANITARY SEWER #23, TO SERVE SAWMILL CREEK ADDITION as authorized by Resolution No. R-02-405, adopted September 10, 2002, and published September 14, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$133,841.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 180

aaa) (468-83495/480-634) - Constructing LATERAL 39, MAIN 24, WAR INDUSTRIES SEWER, TO SERVE BEECH LAKE DEVELOPMENT - 13TH & WEBB as authorized by Resolution No. R-02-443, adopted October 1, 2002, and published October 5, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$52,105.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

bbb) (468-83497/480-631) - Constructing LATERAL 338, FOUR MILE CREEK SEWER, TO SERVE SAVANNA AT CASTLE ROCK RANCH Ninth as authorized by Resolution No. R-02-442, adopted October 1, 2002, and published October 5, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$122,293.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ccc) (468-83505/480-640) - Constructing MAIN 12, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-472, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$141,012.00 is to be apportioned 50% payable by the improvement district, 50% payable by the City. The cost has been assessed on a fractional basis.

ddd) (468-83507/480-643) - Constructing LATERAL 1, MAIN 13, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-474, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$95,564.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

eee) (468-83510/480-641) - Constructing LATERAL 1, MAIN 12, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-475, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$30,694.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

fff) (468-83513/480-642) - Constructing LATERAL 4, MAIN 12, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION as authorized by Resolution No. R-02-476, adopted October 22, 2002, and published October 26, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$46,362.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ggg) (468-83537/480-654) - Constructing LATERAL 40, MAIN 15, SOUTHWEST INTERCEPTOR SEWER, TO SERVE REFLECTION RIDGE Third ADDITION - TRACT B, C, & D as authorized by Resolution No. R-02-501, adopted November 19, 2002, and published November 25, 2002, corrected & republished November 30, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$24,159.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

hhh) (468-83563/480-651) - Constructing LATERAL 42, MAIN 24, WAR INDUSTRIES SEWER, TO SERVE WILSON ESTATES MEDICAL PARK & LEGACY PARK TRACT as authorized by Resolution No. R-02-590, adopted December 17, 2002, and published December 21, 2002. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$83,570.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 181

iii) (468-83565/480-649) - Constructing MAIN 14, FOUR MILE CREEK, TO SERVE REED'S COVE, REED COMMERCIAL, & REEDS COVE SECOND ADDITION as authorized by Resolution No. R-03-006, rescinded by Resolution No. R-03-388, adopted January 7, 2003, & July 15, 2003, and published January 11, 2003, & July 18, 2003. Petition for this improvement was signed by owners representing 100.00% of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$209,697.00 is to be apportioned 50% payable by the Improvement district and 50% payable by the Sewer Utility Fund. The cost has been assessed on a fractional basis.

## **STORM SEWERS:**

jjj) (468-83034/485-210) – Constructing SWS NO. 528 TO SERVE HIGHLAND SPRINGS SECOND ADDITION as authorized by Resolution No. R-99-379, adopted September 28, 1999, and published October 1, 1999. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$46,391.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

kkk) (468-83065/485-177) – Constructing SWS NO. 532 TO SERVE REGENCY PARK ADDITION as authorized by Resolution No. R-00-057, adopted February 15, 2000, and published February 18, 2000, corrected and republished January 8, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$351,430.00 is to be apportioned 80% payable by the improvement district and 20% payable by the City at Large. The cost has been assessed on a fractional basis.

lll) (468-83165/485-194) – Constructing SWS NO. 541 TO SERVE RIDGE PORT NORTH Third AND Fourth ADDITIONS as authorized by Resolution No. R-00-378 rescinded by R-01-311, adopted October 24, 2000 and July 24, 2001 respectively, and published October 28, 2000 and July 28, 2001. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$405,212.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

mmm) (468-83351/485-197) – Constructing SWD NO. 182 TO SERVE THE LEGACY ADDITION as authorized by Resolution No. R-01-475 rescinded by R-02-152, adopted November 20, 2001 and March 19, 2002 respectively, and published November 24, 2001 and March 23, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$238,131.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

nnn) (468-83465/485-208) – Constructing SWS NO. 572 TO SERVE RIDGE PORT COMMERCIAL PARK AND RIDGE PORT SECOND ADDITION as authorized by Resolution No. R-02-304, adopted June 18, 2002, and published June 22, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$215,487.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ooo) (468-83522/485-222) – Constructing SWS No. 576 TO SERVE THE EXECUTIVE AT WHITE TAIL ADDITION as authorized by Resolution No. R-03-011, adopted January 7, 2003, and published January 11, 2003. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$20,928.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to speak and no one appeared.

Motion--  
--carried

Mayans moved that the public hearing be closed; the assessments be approved; and the Ordinances be placed on first reading. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 182

## WATER PROJECTS:

### ORDINANCE

- a) (448-88708/470-741)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-88708 TO SERVE FOREST LAKES, introduced and under the rules laid over.

- a) (448-89205/470-789)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89205 TO SERVE FOREST LAKES WEST, introduced and under the rules laid over.

- c) (448-89428/470-746)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89428 TO SERVE THE HIGHLAND SPRINGS SECOND ADDITION, introduced and under the rules laid over.

- b) (448-89490/470-751)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89490 TO SERVE EVERGREEN AND EVERGREEN Third ADDITIONS, introduced and under the rules laid over.

- e) (448-89568/470-697)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89568 TO SERVE THE REMINGTON PLACE ADDITION, introduced and under the rules laid over.

- f) (448-89583/470-740)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89583 TO SERVE THE FLAT CREEK ADDITION, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 183

g) (448-89592/470-733)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89592 TO SERVE THE RIDGE PORT NORTH Fourth ADDITION, introduced and under the rules laid over.

h) (448-89630/470-704)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89630 TO SERVE THE LEGACY ADDITION, introduced and under the rules laid over.

i) (448-89651/470-748)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89651 TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION, introduced and under the rules laid over.

j) (448-89658/470-763)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89658 TO SERVE SPRINGDALE EAST SECOND ADDITION, introduced and under the rules laid over.

k) (448-89664/470-724)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89664 TO SERVE PART OF THE MCCLAREN ADDITION, introduced and under the rules laid over.

l) (448-89680/470-755)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89680 TO SERVE THE GRAY'S Fifth ADDITION, introduced and under the rules laid over.

m) (448-89682/470-754)

## ORDINANCE

Water Distribution System No. 448-89682 TO SERVE GRAY'S Fifth AND HOPE COMMUNITY BAPTIST CHURCH ADDITIONS, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 184

n) (448-89686/470-738)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89686 TO SERVE THE MEDITERRANEAN PLAZA ADDITION, introduced and under the rules laid over.

o) (448-89691/470-744)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89691 TO SERVE CHADSWORTH PLAZA ADDITION, introduced and under the rules laid over.

p) (448-89697/470-745)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89697 TO SERVE THE FOSSIL RIM ESTATES & UNPLATTED TRACT "A" , introduced and under the rules laid over.

q) (448-89699/470-739)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89699 TO SERVE RIDGE PORT COMMERCIAL PARK AND RIDGE PORT SECOND ADDITION, introduced and under the rules laid over.

r) (448-89703/470-742)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89703 TO SERVE NORTHEAST MIDDLE SCHOOL ADDITION, introduced and under the rules laid over.

s) (448-89709/470-750)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89709 TO SERVE SUNNYSIDE GARDENS SECOND ADDITION, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 185

t) (448-89710/470-747)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89710 TO SERVE CARPENTERS LOCAL UNION NO. 201 ADDITION AND UNPLATTED TRACTS, introduced and under the rules laid over.

u) (448-89717/470-749)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89717 TO SERVE SAVANNA AT CASTLE ROCK RANCH Ninth, introduced and under the rules laid over.

v) (448-89719/470-752)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89719 TO SERVE THE EAST 150 FEET OF LOT 38, EXCEPT THE NORTH 10 FEET AND THE EAST 30 FEET THEREOF, VALLEY ACRES, introduced and under the rules laid over.

w) (448-89727/470-756)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89727 TO SERVE HAWTHORNE ADDITION, introduced and under the rules laid over.

x) (448-89732/470-758)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89732 TO SERVE HAWTHORNE ADDITION, introduced and under the rules laid over.

y) (448-89735/470-759)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89735 TO SERVE HAWTHORNE ADDITION, introduced and under the rules laid over.

z) (448-89736/470-760)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89736 TO SERVE HAWTHORNE ADDITION, introduced and under the rules laid over.

aa) (448-89743/470-764)

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 186

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89743 TO SERVE SOUTH HIGH SCHOOL ADDITION, introduced and under the rules laid over.

bb) (448-89751/470-772)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89751 TO SERVE REFLECTION RIDGE Third ADDITION, introduced and under the rules laid over.

cc) (448-89759/470-782)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89759 TO SERVE SHADOW RIDGE ADDITION, introduced and under the rules laid over.

dd) (448-89761/470-770)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89761 TO SERVE WILSON ESTATES MEDICAL PARK, AND LEGACY PARK TRACT, introduced and under the rules laid over.

ee) (448-89762/470-777)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing Water Distribution System No. 448-89762 TO SERVE POWER CDC SECOND ADDITION, introduced and under the rules laid over.

## **SEWER PROJECTS:**

ff) (468-82832/480-442)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 95, SANITARY SEWER #23, TO SERVE UNPLATTED TRACT, introduced and under the rules laid over.

gg) (468-82967/480-481)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 88, MAIN 1, SOUTHWEST INTERCEPTOR SEWER, TO SERVE SCOTT & WEIR; PILLSBURY; STARDUST, BOSLEY'S FIRST ADDITIONS, & UNPLATTED TRACTS SEC. 8 & 9, introduced and under the rules laid over.

hh) (468-83029/480-626)

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 187

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 24, COWSKIN INTERCEPTOR SEWER, TO SERVE HIGHLAND SPRINGS SECOND ADDITION AND UNPLATTED TRACT "A" , introduced and under the rules laid over.

ii) (468-83148/480-635)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 462, SOUTHWEST INTERCEPTOR SEWER, TO SERVE EVERGREEN & EVERGREEN Third ADDITIONS, introduced and under the rules laid over.

jj) (468-83241/480-591)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing MAIN 12, SANITARY SEWER NO. 23, TO SERVE UNPLATTED TRACTS "A" THROUGH "Y" AND EAGLES LANDING AT NORTH OLIVER SECOND, introduced and under the rules laid over.

kk) (468-83276/480-612)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 3, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, TO SERVE RIDGE PORT NORTH Fourth ADDITION, introduced and under the rules laid over.

ll) (468-83284/480-604)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 1, MAIN 12, SANITARY SEWER NO. 23, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION & UNPLATTED TRACT "A", introduced and under the rules laid over.

mm) (468-83285/480-628)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 2, MAIN 12, SANITARY SEWER NO. 23, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 188

nn) (468-83286/480-629)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 3, MAIN 12, SANITARY SEWER NO. 23, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION, introduced and under the rules laid over.

oo) (468-83329/480-578)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 317, FOUR MILE CREEK SEWER, TO SERVE AN UNPLATTED TRACT OF LAND, introduced and under the rules laid over.

pp) (468-83350/480-587)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 481, SOUTHWEST INTERCEPTOR SEWER, TO SERVE THE LEGACY ADDITION, introduced and under the rules laid over.

qq) (468-83386/480-615)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 4, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, TO SERVE RIDGE PORT COMMERCIAL PARK & RIDGE PORT SECOND ADDITION, introduced and under the rules laid over.

rr) (468-83399/480-601)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing MAIN 11, FOUR MILE CREEK SEWER, TO SERVE THE FAIRMONT ADDITION, introduced and under the rules laid over.

ss) (468-83427/480-610)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 141, MAIN 4, SANITARY SEWER NO. 23, TO SERVE UNPLATTED TRACT OF LAND, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 189

tt) (468-83429/480-638)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing MAIN 21, SOUTHWEST INTERCEPTOR SEWER, TO SERVE GRAY'S Fifth ADDITION, HOPE COMMUNITY BAPTIST CHURCH ADDITION AND UNPLATTED TRACT "B", introduced and under the rules laid over.

uu) (468-83430/480-639)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 1, MAIN 21, SOUTHWEST INTERCEPTOR SEWER, TO SERVE GRAY'S Fifth & HOPE COMMUNITY BAPTIST CHURCH ADDITIONS, introduced and under the rules laid over.

vv) (468-83432/480-611)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 484, SOUTHWEST INTERCEPTOR SEWER, TO SERVE THE BIKE AND RIDER ADDITION, introduced and under the rules laid over.

ww) (468-83447/480-624)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 3, MAIN 2, NORTHWEST INTERCEPTOR SEWER, TO SERVE CHADSWORTH PLAZA, introduced and under the rules laid over.

xx) (468-83448/480-625)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 485, SOUTHWEST INTERCEPTOR SEWER, TO SERVE FOSSIL RIM ESTATES ADDITION & UNPLATTED TRACT "A", introduced and under the rules laid over.

yy) (468-83480/480-627)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 269, MAIN 5, SANITARY SEWER # 22, TO SERVE RAY ALLEN ADDITION & UNPLATTED TRACT, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 190

zz) (468-83486/480-636)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 3, MAIN 11, SANITARY SEWER #23, TO SERVE SAWMILL CREEK ADDITION, introduced and under the rules laid over.

aaa) (468-83495/480-634)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 39, MAIN 24, WAR INDUSTRIES SEWER, TO SERVE BEECH LAKE DEVELOPMENT - 13TH & WEBB , introduced and under the rules laid over.

bbb) (468-83497/480-631)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 338, FOUR MILE CREEK SEWER, TO SERVE SAVANNA AT CASTLE ROCK RANCH Ninth, introduced and under the rules laid over.

ccc) (468-83505/480-640)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing MAIN 12, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION, introduced and under the rules laid over.

ddd) (468-83507/480-643)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 1, MAIN 13, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION, introduced and under the rules laid over.

eee) (468-83510/480-641)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 1, MAIN 12, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION,

fff) (468-83513/480-642)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 4, MAIN 12, FOUR MILE CREEK, TO SERVE HAWTHORNE ADDITION, introduced and under the rules laid over.

ggg) (468-83537/480-654)

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 191

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 40, MAIN 15, SOUTHWEST INTERCEPTOR SEWER, TO SERVE REFLECTION RIDGE Third ADDITION, introduced and under the rules laid over.

hhh) (468-83563/480-651)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing LATERAL 42, MAIN 24, WAR INDUSTRIES SEWER, TO SERVE WILSON ESTATES MEDICAL PARK & LEGACY PARK TRACT, introduced and under the rules laid over.

iii) (468-83565/480-649)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing MAIN 14, FOUR MILE CREEK, TO SERVE REED'S COVE, REED COMMERCIAL, & REEDS COVE SECOND ADDITION, introduced and under the rules laid over.

## **STORM SEWERS:**

jjj) (468-83034/485-210)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing SWS NO. 528 TO SERVE HIGHLAND SPRINGS SECOND ADDITION, introduced and under the rules laid over.

kkk) (468-83065/485-177)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing SWS NO. 532 TO SERVE REGENCY PARK ADDITION, introduced and under the rules laid over.

lll) (468-83165/485-194)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing SWS NO. 541 TO SERVE RIDGE PORT NORTH Third AND Fourth ADDITIONS, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 192

mmm) (468-83351/485-197)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing SWD NO. 182 TO SERVE THE LEGACY ADDITION, introduced and under the rules laid over.

nnn) (468-83465/485-208)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing SWS NO. 572 TO SERVE RIDGE PORT COMMERCIAL PARK AND RIDGE PORT SECOND ADDITION, introduced and under the rules laid over.

ooo) (468-83522/485-222)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of constructing SWS No. 576 TO SERVE THE EXECUTIVE AT WHITE TAIL ADDITION, introduced and under the rules laid over.

## PROJECT ASSESSMENTS

Neil Cable

## **PUBLIC HEARING ON PROPOSED ASSESSMENTS FOR (38) THIRTY-EIGHT PAVING PROJECTS IN FEBRUARY 2004 BOND SALES SERIES 776.**

City Engineer reviewed the item.

Agenda Report No. 03-1004

The Council was notified on September 9, 2003 that the proposed assessment rolls were on file for public inspection in the Debt Management Office of the Finance Department.

Notice of hearing was published September 12, 2003 being not less than ten days prior to the date of hearing. Property owners have been notified in writing. City personnel held an informal hearing September 29, 2003 at 11:00 A.M. for the paving projects.

Statements of Special Assessment will be mailed to the property owners on October 24, 2003. The property owners have 30 days from date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the February 2004 Bond Sale. The interest added to the principal amount will be determined by the rate at which the bonds sale. The principal and interest will then be spread over 15-years and placed on the 2004 tax roll.

These projects were initiated pursuant to provisions of K.S.A. 12-6a01 et seq. All were 100% petitions with the exception of:

	Paving Projects
472-83254	51.50% Petition Improving the north-south alley bounded by Mead, Mosley, 10th & 11th Street Mosley, 10th & 11th Street
472-83301	51.30% Petition Improving 26th St. N., Aley & Burnett
472-83309	55.80% Petition Improving Cedar Crest
472-83310	60.00% Petition Improving Cedar Downs Lane
472-83311	51.30% Petition Improving Wheatridge Street
472-83414	83.30% Petition Improving Alley from north line of Murdock to south line of 8th St North between Market & Broadway
472-83601	66.67% Petition Improving Chautauqua

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 193

472-83271      51.80% Petition   Improving 31st St. North  
472-83284      54.70% Petition   Improving the north-south alley between Washington and Ida, from  
                                         Morris to Gilbert

## **PAVING PROJECTS:**

- a)            (472-82322/490-840) - IMPROVING TEE TIME, LAKECREST, LAKECREST CIRCLE AND SIDEWALK, TO SERVE FOREST LAKES ADDITION as authorized by Resolution No. R-93-158, adopted April 6, 1993, and published April 9, 1993. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$206,237.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- b)            (472-82327/490-855) - IMPROVING WILD ROSE, FOREST LAKES, WILD ROSE COURT AND SIDEWALK, TO SERVE FOREST LAKES ADDITION as authorized by Resolution No. R-93-163, adopted April 6, 1993, and published April 9, 1993. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$146,467.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- c)            (472-82699/490-758) - IMPROVING TEE TIME, LAKECREST CIRCLE & SIDEWALK, TO SERVE FOREST LAKES ADDITION as authorized by Resolution No. R-96-120 amended by R-02-198, adopted April 2, 1996 and April 9, 2002 respectively, and published April 5, 1996 and April 13, 2002 corrected and republished April 22, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$176,839.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- d)            (472-82874/490-841) - IMPROVING FOREST PARK/LAKE RIDGE, FOREST PARK COURT AND SIDEWALK, TO SERVE FOREST LAKES WEST as authorized by Resolution No. R-97-353 amended by R-02-151, adopted September 23, 1997 and March 19, 2002 respectively, and published September 26, 1997 and March 23, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$126,425.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- e)            (472-82937/490-823) - IMPROVING HENDRYX, REECE ROAD, MCCORMICK AVENUE AND REECE CIRCLE, TO SERVE REECE FARMS ESTATES as authorized by Resolution No. R-98-125, adopted April 14, 1998, and published April 17, 1998. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$258,988.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- f)            (472-83069/490-699) - IMPROVING 29TH STREET NORTH, TO SERVE TRACTS LOCATED IN NE QUARTER SECTION, TWP 27S, R2E OF THE 6TH P.M. as authorized by Resolution No. R-99-151, adopted May 11, 1999, and published May 14, 1999 corrected and republished May 10, 2000. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$224,341.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- g)            (472-83144/490-861) - IMPROVING REMINGTON LANE, BLUEGRASS, KENTUCKY LANE, REMINGTON LANE COURT AND SIDEWALK, TO SERVE HIGHLAND SPRINGS SECOND ADDITION as authorized by Resolution No. R-99-382, adopted September 28, 1999, and published October 1, 1999 corrected and republished June 26, 2000. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$222,076.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 194

- h) (472-83254/490-757) - IMPROVING THE NORTH-SOUTH ALLEY BOUNDED BY MEAD, MOSLEY, 10TH AND 11TH ST., TO SERVE SANKEY & MCCALL'S ADDITION as authorized by Resolution No. R-00-291, adopted August 1, 2000, and published August 4, 2000. Petition for this improvement was signed by owners representing 51.50% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$64,164.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.
- i) (472-83291/490-833) - IMPROVING ONEWOOD, ONEWOOD PLACE & CUL DE SACS, TO SERVE AUBURN HILLS 12TH ADDITION as authorized by Resolution No. R-00-401, adopted November 14, 2000, and published November 18, 2000 corrected and republished December 11, 2000. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$254,125.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- j) (472-83301/490-773) - IMPROVING 26TH ST. N., ALEY & BURNETT, TO SERVE NORTH LAWN, BUCKEYE, GARDNER'S & ALEY PARK ADDITIONS as authorized by Resolution No. R-00-442 amended by R-01-451, adopted December 19, 2000 & November 6, 2001 respectively, and published December 23, 2000 and November 10, 2001. Petition for this improvement was signed by owners representing 51.30% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$458,465.00 is to be apportioned 81% payable by the improvement district and 19% payable by the City at Large. The cost has been assessed on a square foot basis.
- k) (472-83308/490-837) - IMPROVING 127TH ST. EAST, TO SERVE CHURCH OF THE MAGDALEN ADDITION AND AN UNPLATTED TRACT IN SW 1/4 SEC. 2, TWP 27-S, R2E as authorized by Resolution No. R-01-083 amended by R-02-375, adopted February 27, 2001 and August 13, 2002 respectively, and published March 3, 2001 and August 17, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$67,082.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- l) (472-83309/490-779) - IMPROVING CEDAR CREST, TO SERVE CEDAR DOWNS, CEDAR DOWNS SECOND, CEDAR DOWNS THIRD & BURCHFIEL SECOND ADDITIONS AND UNPLATTED TRACTS IN SEC 1, TWP 27S, R2W as authorized by Resolution No. R-01-002, adopted January 9, 2001, and published January 13, 2001. Petition for this improvement was signed by owners representing 55.80% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$194,558.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- m) (472-83310/490-778) - IMPROVING CEDAR DOWNS LANE, TO SERVE CEDAR DOWNS AND CEDAR DOWNS THIRD ADDITION as authorized by Resolution No. R-01-001, adopted January 9, 2001, and published January 13, 2001. Petition for this improvement was signed by owners representing 60.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$152,367.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.
- n) (472-83311/490-780) - IMPROVING WHEATRIDGE ST, TO SERVE CEDAR DOWNS THIRD ADDITION as authorized by Resolution No. R-01-003, adopted January 9, 2001, and published January 13, 2001 corrected and republished June 8, 2002. Petition for this improvement was signed by owners representing 51.30% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$129,466.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 195

o) (472-83389/490-797) - IMPROVING CUSTER AVENUE, TO SERVE SOUTHWEST INDUSTRIAL ADDITION as authorized by Resolution No. R-01-248 amended by R-01-416 amended by R-02-291, adopted June 12, 2001, September 25, 2001, and June 18, 2002 respectively, and published June 16, 2001, September 29, 2001 and June 22, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$489,297.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

p) (472-83404/490-836) - IMPROVING EAGLES LANDING, WILLOW POINT, EAGLES LANDING COURTS, DELLROSE CIRCLE AND SIDEWALK, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION as authorized by Resolution No. R-01-342 rescinded by R-02-059, adopted August 14, 2001 and January 15, 2002, and published August 18, 2001 and January 19, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$313,441.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

q) (472-83409/490-846) - IMPROVING 34TH ST N, BROOKVIEW, RIDGE PORT, LAKEWAY, BROOKVIEW CT & SIDEWALK, TO SERVE RIDGE PORT NORTH FOURTH ADDITION as authorized by Resolution No. R-01-316, adopted July 24, 2001, and published July 28, 2001. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$394,393.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

r) (472-83414/490-810) - IMPROVING ALLEY FROM NORTH LINE OF MURDOCK TO SOUTH LINE OF 8TH ST N BETWEEN MARKET AND BROADWAY, TO SERVE MUNGER'S ORIGINAL TOWN ADDITION as authorized by Resolution No. R-01-344, adopted August 21, 2001, and published August 25, 2001. Petition for this improvement was signed by owners representing 83.30% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$56,601.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

s) (472-83433/490-842) - IMPROVING TALLOWOOD, CASTLEWOOD/GLEN WOOD, TALLOWOOD COURT, ROCKY CREEK AND SIDEWALK, TO SERVE ROCKY CREEK AND ROCKY CREEK SECOND ADDITION as authorized by Resolution No. R-01-396, adopted September 18, 2001, and published September 22, 2001. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$307,705.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

t) (472-83444/490-824) - IMPROVING CLARK/STONEBROOK, MOUNT VERNON, CLARK, CRANBROOK, STONEYBROOK COURT, STONEYBROOK CIRCLE AND SIDEWALK, TO SERVE BRENTWOOD VILLAGE, BRENTWOOD SOUTH AND MAPLE SHADE ADDITIONS as authorized by Resolution No. R-02-038, adopted January 15, 2002, and published January 19, 2002 corrected and republished February 1, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$562,410.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

u) (472-83468/490-832) - IMPROVING TIPPERARY, BRACKEN, BRACKEN COURT, BRACKEN CIRCLE, TIPPERARY COURT AND SIDEWALK, TO SERVE BALTHROP FOURTH ADDITION as authorized by Resolution No. R-02-030, adopted January 15, 2002, and published January 19, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$358,923.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 196

v) (472-83483/490-825) - IMPROVING BOXHORN, AYESBURY, WOODRIDGE, EAGLE, WAWONA, DAVIN LANE, DAVIN CIRCLE, DAVIN COURT, BOXTHORN COURT, AYESBURY CIRCLE AND SIDEWALK, TO SERVE THE FAIRMONT ADDITION as authorized by Resolution No. R-02-100, adopted February 5, 2002, and published February 9, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$605,689.10 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

w) (472-83488/490-826) - IMPROVING 127TH ST. EAST, TO SERVE THE FAIRMONT ADDITION & AN UNPLATTED TRACT "B" IN THE SW 1/4 OF SEC 2, TWP 27-S, R-2-E as authorized by Resolution No. R-02-103 amended by R-02-376, adopted February 5, 2002 and August 13, 2002 respectively, and published February 9, 2002 and August 17, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$117,381.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

x) (472-83493/490-839) - IMPROVING LYDIA, LYDIA COURTS, CRESTLINE COURT, CRESTLINE AND SIDEWALK, TO SERVE SHELLY'S ORCHARD ADDITION as authorized by Resolution No. R-02-125, adopted March 5, 2002, and published March 9, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$256,266.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

y) (472-83531/490-851) - IMPROVING TOBEN/31ST ST. NORTH, TO SERVE MEDITERRANEAN PLAZA ADDITION as authorized by Resolution No. R-02-294, adopted June 18, 2002, and published June 22, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$195,895.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

z) (472-83538/490-859) - IMPROVING MAIZE COURT AND SIDEWALK, TO SERVE CHADSWORTH PLAZA as authorized by Resolution No. R-02-275, adopted June 4, 2002, and published June 8, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$175,763.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

aa) (472-83550/490-849) - IMPROVING GREAT PLAINS, 34TH ST. NORTH & RIDGEWOOD, TO SERVE GREAT PLAINS BUSINESS PARK THIRD ADDITION as authorized by Resolution No. R-02-270 amended by R-02-403, adopted June 4, 2002 and September 10, 2002 respectively, and published June 8, 2002 and September 14, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$460,649.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

bb) (472-83556/490-853) - IMPROVING NORTHWIND & WEST 33RD ST. NORTH, TO SERVE RIDGE PORT COMMERCIAL PARK ADDITION as authorized by Resolution No. R-02-305, adopted June 18, 2002, and published June 22, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$228,401.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

cc) (472-83601/490-852) - IMPROVING CHAUTAUQUA, TO SERVE BRUCE JONES AND AGEE HUNTER ADDITIONS as authorized by Resolution No. R-02-277, adopted June 18, 2002, and published June 22, 2002. Petition for this improvement was signed by owners representing 66.67% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$48,997.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 197

dd) (472-83604/490-856) - IMPROVING BROADVIEW CIRCLE AND SIDEWALK, TO SERVE NORTHEAST MIDDLE SCHOOL ADDITION AND AN UNPLATTED TRACT IN THE NE 1/4 OF SEC 26, TWP 26-S, R-1-E as authorized by Resolution No. R-02-323, adopted July 2, 2002, and published July 8, 2002 corrected and republished July 20, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$376,557.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ee) (472-83612/490-858) - IMPROVING GOEBEL, TO SERVE HARRISON PARK SECOND ADDITION as authorized by Resolution No. R-02-347, adopted July 16, 2002, and published July 20, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$119,657.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ff) (472-83617/490-864) - IMPROVING GROVE COURT, TO SERVE PINE BAY ESTATES as authorized by Resolution No. R-02-357, adopted August 6, 2002, and published August 10, 2002. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$104,045.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

gg) (472-81973/490-645) - IMPROVING A LEFT TURN AND DECEL LANE ON 21ST AT CLUBHOUSE DRIVE, TO SERVE TALLGRASS EAST THIRD AND FOURTH ADDITIONS as authorized by Resolution No. , adopted October 24, 1989 and July 31, 1990 respectively, and published October 27, 1989 and August 3, 1990. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$22,469.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

hh) (472-81901/490-646) - IMPROVING A DECEL LANE ON THE NORTH SIDE OF 21ST ST. N, TO SERVE TALLGRASS EAST COMMERCIAL ADDITION as authorized by Resolution No. , adopted February 14, 1989, and published February 17, 1989. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$53,136.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ii) (472-83231/490-743) - IMPROVING DECEL AND LEFT TURN LANES ON 21ST ST N, TO SERVE LEGACY PARK WILSON ESTATES ADDITION as authorized by Resolution No. R-00-224, adopted May 16, 2000, and published May 19, 2000. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$161,518.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

jj) (472-83271/490-762) - IMPROVING 31ST ST NORTH, TO SERVE E.C. & L.R. COLE'S ADDITION TO CAREY PARK, TIMMERMEYER GARDENS, SCHLENDER & CASTER ADDITIONS AND UNPLATTED TRACTS IN SECTION 32, TWP 26, R1E as authorized by Resolution No. R-00-328, adopted September 12, 2000, and published September 16, 2000. Petition for this improvement was signed by owners representing 51.80% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$497,973.00 is to be apportioned 89% payable by the improvement district and 11% payable by the City. The cost has been assessed on a square foot basis.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 198

kk) (472-83284/490-765) - IMPROVING THE NORTH-SOUTH ALLEY BETWEEN WASHINGTON AND IDA, FROM MORRIS TO GILBERT, TO SERVE KELSCH THIRD & HEPHNER ADDITIONS as authorized by Resolution No. R-00-351, adopted October 3, 2000, and published October 7, 2000. Petition for this improvement was signed by owners representing 54.70% percent of the property ownership. The Statement of Cost approved July 8, 2003 in the amount of \$56,024.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

ll) (472-89243/490-647) - IMPROVING AN EASTBOUND DECEL LANE ON THE SOUTH SIDE OF 21ST ST, TO SERVE HANLEY SECOND AND HANLEY COMMERCIAL ADDITIONS as authorized by Resolution No. R-98-178, adopted May 5, 1998, and published May 8, 1998. Petition for this improvement was signed by owners representing 100.00% percent of the property ownership. The Statement of Cost approved July 15, 2003 in the amount of \$52,135.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

Council Member Fearey Council Member Fearey stated that item jj) the improving of 31<sup>st</sup> North, there are some concerns about the delay and why it took so long.

Neil Cable Neil Cable explained that there were complications with this project and the initial scoping of the project is based on similar projects and on their cost information. There were storm water issues that complicated the design and required a supplemental contract to address the design issues, which caused a delay. It was bid three times and each time the bids came in over the engineer's estimate they were not able to award.

Mayor Mayans Mayor Mayans inquired whether anyone wished to speak.

Robbie Carruth Robbie Carruth stated that he lives at 3210 Woodland and has concerns with the total assessment that they were asked to pay, which have been increased by 36% from what they were originally told. Mr. Carruth feels that the property owners in the benefit area should have been notified of the increase due to the delay. Does not feel that they were treated fairly and felt like they were misrepresented.

Raymond John Raymond John stated that his addition that he developed was taken into the City and a document was signed to give the City authority to take it in. He is here to protest the paving of Cedar Downs, Cedar Crest and Wheatridge Drive in the Cedar Downs Addition.

Jim Tobin Jim Tobin stated that he lives at 902 West 31<sup>st</sup> Street North and read a letter that was written by his neighbor that could not attend. A petition was approved on July 25, 2000 for an estimate cost of \$367,000.00 and final cost received on September 19, 2003 was \$497,973.00, which is a 36% increase, which is unacceptable. It is his understanding that during the planning stage of this project, delays were caused due to design and engineering changes and a leave of absence of the project engineer. He feels that it would have been a common courtesy to have notified the homeowners since it was prior to construction.

Council Member Fearey Council Member Fearey inquired about the options that Council has since the street has already been built and if the Council does not take the recommended action on this project.

Chris Cherches Chris Cherches explained that if the Council wishes to take a different action by reducing the overall assessment by a specific amount, the Council could increase the City's allocation by an amount that they feel would be appropriate. The funding could be from a number of sources or could be reallocated in the revised budget. Mr. Cherches suggested that the Council defer this item until the next City Council Meeting so that he could bring back a report to the Council with some possible options to consider.

Motion-- Fearey moved that the public hearing be closed; the assessments be approved; and the Ordinances be placed on first reading with the exception of item jj) and that it be deferred to the next Council Meeting for further investigation and discussion. Motion carried 7 to 0.

--carried

a) (472-82322/490-840)

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 199

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving TEE TIME, LAKECREST, LAKECREST CIRCLE AND SIDEWALK, TO SERVE FOREST LAKES ADDITION, introduced and under the rules laid over.

b) (472-82327/490-855)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving WILD ROSE, FOREST LAKES, WILD ROSE COURT AND SIDEWALK, TO SERVE FOREST LAKES ADDITION, introduced and under the rules laid over.

c) (472-82699/490-758)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving TEE TIME, LAKECREST CIRCLE & SIDEWALK, TO SERVE FOREST LAKES ADDITION, introduced and under the rules laid over.

d) (472-82874/490-841)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving FOREST PARK/LAKE RIDGE, FOREST PARK COURT AND SIDEWALK, TO SERVE FOREST LAKES WEST, introduced and under the rules laid over.

e) (472-82937/490-823)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving HENDRYX, REECE ROAD, MCCORMICK AVENUE AND REECE CIRCLE, TO SERVE REECE FARMS ESTATES, introduced and under the rules laid over.

f) (472-83069/490-699)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 29TH STREET NORTH, TO SERVE TRACTS LOCATED IN NE QUARTER SECTION, TWP 27S, R2E OF THE SIXTH P.M., introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 200

g) (472-83144/490-861)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving REMINGTON LANE, BLUEGRASS, KENTUCKY LANE, REMINGTON LANE COURT AND SIDEWALK, TO SERVE HIGHLAND SPRINGS SECOND ADDITION, introduced and under the rules laid over.

h) (472-83254/490-757)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving THE NORTH-SOUTH ALLEY BOUNDED BY MEAD, MOSLEY, 10TH AND 11TH ST., TO SERVE SANKEY & MCCALL'S ADDITION, introduced and under the rules laid over.

i) (472-83291/490-833)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving ONEWOOD, ONEWOOD PLACE & CUL DE SACS, TO SERVE AUBURN HILLS 12TH ADDITIO, introduced and under the rules laid over.

j) (472-83301/490-773)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 26TH ST. N., ALEY & BURNETT, TO SERVE NORTH LAWN, BUCKEYE, GARDNER'S & ALEY PARK ADDITIONS, introduced and under the rules laid over.

k) (472-83308/490-837)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 127TH ST. EAST, TO SERVE CHURCH OF THE MAGDALEN ADDITION AND AN UNPLATTED TRACT IN SW 1/4 SEC. 2, TWP 27-S, R2E, introduced and under the rules laid over.

l) (472-83309/490-779)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving CEDAR CREST, TO SERVE CEDAR DOWNS, CEDAR DOWNS SECOND, CEDAR DOWNS THIRD & BURCHFIEL SECOND ADDITIONS AND UNPLATTED TRACTS IN SEC 1, TWP 27S, R2W, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 201

m) (472-83310/490-778)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving CEDAR DOWNS LANE, TO SERVE CEDAR DOWNS AND CEDAR DOWNS THIRD ADDITION, introduced and under the rules laid over.

n) (472-83311/490-780)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving WHEATRIDGE ST, TO SERVE CEDAR DOWNS THIRD ADDITION, introduced and under the rules laid over.

o) (472-83389/490-797)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving CUSTER AVENUE, TO SERVE SOUTHWEST INDUSTRIAL ADDITION, introduced and under the rules laid over.

p) (472-83404/490-836)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving EAGLES LANDING, WILLOW POINT, EAGLES LANDING COURTS, DELLROSE CIRCLE AND SIDEWALK, TO SERVE EAGLES LANDING AT NORTH OLIVER SECOND ADDITION, introduced and under the rules laid over.

q) (472-83409/490-846)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 34TH ST N, BROOKVIEW, RIDGE PORT, LAKEWAY, BROOKVIEW CT & SIDEWALK, TO SERVE RIDGE PORT NORTH FOURTH ADDITION, introduced and under the rules laid over.

r) (472-83414/490-810)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving , introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 202

s) (472-83433/490-842)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving TALLOWOOD, CASTLEWOOD/GLEN WOOD, TALLOWOOD COURT, ROCKY CREEK AND SIDEWALK, TO SERVE ROCKY CREEK AND ROCKY CREEK SECOND ADDITION, introduced and under the rules laid over.

t) (472-83444/490-824)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving CLARK/STONEYBROOK, MOUNT VERNON, CLARK, CRANBROOK, STONEYBROOK COURT, STONEYBROOK CIRCLE AND SIDEWALK, TO SERVE BRENTWOOD VILLAGE, BRENTWOOD SOUTH AND MAPLE SHADE ADDITIONS, introduced and under the rules laid over.

u) (472-83468/490-832)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving TIPPERARY, BRACKEN, BRACKEN COURT, BRACKEN CIRCLE, TIPPERARY COURT AND SIDEWALK, TO SERVE BALTHROP FOURTH ADDITION, introduced and under the rules laid over.

v) (472-83483/490-825)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving BOXHORN, AYESBURY, WOODRIDGE, EAGLE, WAWONA, DAVIN LANE, DAVIN CIRCLE, DAVIN COURT, BOXTHORN COURT, AYESBURY CIRCLE AND SIDEWALK, TO SERVE THE FAIRMONT ADDITION, introduced and under the rules laid over.

w) (472-83488/490-826)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 127TH ST. EAST, TO SERVE THE FAIRMONT ADDITION & AN UNPLATTED TRACT "B" IN THE SW 1/4 OF SEC 2, TWP 27-S, R-2-E, introduced and under the rules laid over.

x) (472-83493/490-839)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving LYDIA, LYDIA COURTS, CRESTLINE COURT, CRESTLINE AND SIDEWALK, TO SERVE SHELLY'S ORCHARD ADDITION, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 203

y) (472-83531/490-851)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving TOBEN/31ST ST. NORTH, TO SERVE MEDITERRANEAN PLAZA ADDITION, introduced and under the rules laid over.

z) (472-83538/490-859)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving MAIZE COURT AND SIDEWALK, TO SERVE CHADSWORTH PLAZA, introduced and under the rules laid over.

aa) (472-83550/490-849)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving GREAT PLAINS, 34TH ST. NORTH & RIDGEWOOD, TO SERVE GREAT PLAINS BUSINESS PARK THIRD ADDITION, introduced and under the rules laid over.

bb) (472-83556/490-853)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving NORTHWIND & WEST 33RD ST. NORTH, TO SERVE RIDGE PORT COMMERCIAL PARK ADDITION, introduced and under the rules laid over.

cc) (472-83601/490-852)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving CHAUTAUQUA, TO SERVE BRUCE JONES AND AGEE HUNTER ADDITIONS, introduced and under the rules laid over.

dd) (472-83604/490-856)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving BROADVIEW CIRCLE AND SIDEWALK, TO SERVE NORTHEAST MIDDLE SCHOOL ADDITION AND AN UNPLATTED TRACT IN THE NE 1/4 OF SEC 26, TWP 26-S, R-1-E, introduced and under the rules laid over.

ee) (472-83612/490-858)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving GOEBEL, TO SERVE HARRISON PARK SECOND ADDITION, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 204

ff) (472-83617/490-864)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving GROVE COURT, TO SERVE PINE BAY ESTATES, introduced and under the rules laid over.

gg) (472-81973/490-645)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving LEFT TURN AND DECEL LANE ON 21ST AT CLUBHOUSE DRIVE, TO SERVE TALLGRASS EAST THIRD AND FOURTH ADDITIONS, introduced and under the rules laid over.

hh) (472-81901/490-646)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving A DECEL LANE ON THE NORTH SIDE OF 21ST ST. N, TO SERVE TALLGRASS EAST COMMERCIAL ADDITION, introduced and under the rules laid over.

ii) (472-83231/490-743)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving DECEL AND LEFT TURN LANES ON 21ST ST N, TO SERVE LEGACY PARK WILSON ESTATES ADDITION, introduced and under the rules laid over.

jj) (472-83271/490-762)  
**(This Item was deferred)**

kk) (472-83284/490-765)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving THE NORTH-SOUTH ALLEY BETWEEN WASHINGTON AND IDA, FROM MORRIS TO GILBERT, TO SERVE KELSCH THIRD & HEPHNER ADDITIONS, introduced and under the rules laid over.

ll) (472-89243/490-647)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving AN EASTBOUND DECEL LANE ON THE SOUTH SIDE OF 21ST ST, TO SERVE HANLEY SECOND AND HANLEY COMMERCIAL ADDITIONS, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 205

MID-CONT. INST.

## REQUEST FOR A LETTER OF INTENT FOR INDUSTRIAL REFUNDING REVENUE BONDS-MID-CONTINENT INSTRUMENTS. (DISTRICT II)

Allen Bell

Director of Economic Development reviewed the item.

Agenda Report No. 03-1005

On September 9, 1997, the City Council approved the issuance of Industrial Revenue Bonds in an amount of \$4,200,000 to Mid-Continent Instruments. Bond proceeds were used to construct and equip a new aircraft instrument manufacturing headquarters facility and to purchase additional equipment located at Webb Road and 34th Street North. Mid-Continent wishes to refinance its 1997 Bonds and is requesting City Council approval of a one-year Letter of Intent to issue Industrial Refunding Revenue Bonds in an amount not-to-exceed \$3,300,000.

Mid-Continent Instruments designs, manufactures and distributes aircraft instruments. The Company's principal products include a comprehensive line of gyros, altimeters and autopilot components, clocks, pressure gauges, ammeters and fuel gauges. Mid-Continent Instruments' instrument program is one of the largest in the world. The company supplies gyros, altimeters and autopilot components to customers that build and operate aircraft, from light single-engine planes to heavy, twin corporate jets to helicopter operations.

Bond proceeds will be used to refund and redeem currently existing debt and pay costs of issuance. The refinancing of the IRB's will result in a significant reduction in annual debt service payments and will shorten the term of indebtedness by one year.

An analysis of the sources and uses of project funds is:

Redemption of Series IX-A, 1997 Bonds	\$3,190,000
Redemption of Series IX-B, 1997 Bonds	55,000
Costs of Issuance	55,000
Total Cost of Project	\$3,300,000

The Bonds will be purchased by Banc of America Securities in a private placement. The firm of Hinkle Elkhouri Law Firm, L.L.C. will serve as bond counsel in the transaction.

Mid-Continent agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative service fee for the term of the bonds.

Mid-Continent Instruments received a tax abatement on the property purchased and constructed with the proceeds of the 1997 Bonds. This property will continue to be exempted from Kansas ad valorem property taxes for the remaining four-year period permitted by Kansas law.

Bond documents needed for the issuance of the bonds will be prepared by bond counsel. The City's Law Department will review and approve all final bond documents prior to the issuance of the bonds.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to speak and no one appeared.

Motion--

Schlapp moved that the one-year Letter of Intent to Mid-Continent Instruments for Industrial Refunding Revenue Bonds in the approximate of \$3,300,000, subject to the Standard Letter of Intent Conditions, be approved and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 206

## LEE AEROSPACE

### REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS-LEE AEROSPACE, INC. (DISTRICT II)

Allen Bell

Director of Economic Development reviewed the item.

Agenda Report No. 03-1006

On March 16, 1999, the City Council approved the issuance of Industrial Revenue Bonds in an amount of \$3.5 million and a five-plus-five year 100% tax exemption on bond-financed property to Lee Aerospace. Proceeds from the bond issue were used to acquire property and construct a new facility including 30,000 s.f. for manufacturing space and 8,000 s.f. for office space. Lee Aerospace is now planning to expand its plant space and requests the issuance of a six-month Letter of Intent for IRBs in the amount not-to-exceed \$1,200,000.

Lee Aerospace, Inc., located at 9323 E. 34th Street North in northeast Wichita, is a local corporation founded in 1989. Lee Aerospace is a leading manufacturer of unheated windshields, flight deck and cabin windows and repairs acrylic aircraft windows, supplying Boeing, Raytheon, Cessna, and Learjet aircraft.

Lee Aerospace has the capabilities to design, develop, test, and manufactures aircraft windows and sheet metal sub-assemblies. Designs can be produced from concept to production in virtually any size configuration of single-ply or multi-ply flat, curved or compound contoured aircraft windows. Lee Aerospace brings a unique service to the aircraft industry that has been a vital part of the Wichita community for the past 14 years.

Lee Aerospace was acquired in 1999 by The Triumph Group, an aerospace conglomerate with headquarters in Wayne, Pennsylvania and over 30 affiliates nationwide. The association with The Triumph Group has provided Lee Aerospace with the opportunity to expand and diversify its product line and to expand its role as an out-sourcing supplier to the aviation industry.

Bond proceeds will be used to construct a new facility including 18,000 s.f. for manufacturing space on land already owned by an entity related to the company. Lee Aerospace will add an additional 20 new jobs over the next five years. Under the 1999 Bonds, the company agreed to add 50 jobs. They had added 30 new jobs by September 11, 2001 when the downturn in aviation intensified. They have since reduced their workforce by 25, to a current level of 55 employees.

An analysis of the uses of project funds is:

Land	\$1,000,000
Building and Improvements	167,740
Landscape	32,260
Total Cost of Project	\$1,200,000

The firm of Hinkle Elkouri Law Firm, L.L.C. will serve as bond counsel in the transaction. The Bonds will be privately placed with the company's principal bank. Lee Aerospace agrees to comply with the Standard Letter of Intent Conditions. The company has re-engaged the services of Hutton Construction to serve as general contractor. Hutton was chosen in 1999 to construct the company's headquarters and plant, after having advertised in the Wichita Eagle that the work of general contractor was available. Because the current project is considered a continuation of the original master plan, the company did not advertise for a general contractor this time. They did, however, advertise for sub-contractors.

Lee Aerospace, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Under the City's Business Incentive Policy, the Company qualifies for a 100% five-plus-five-year tax exemption on property purchased with bond proceeds.

The estimated first year's taxes on Lee Aerospace's proposed \$1,200,000 expansion would be \$28,490, on real property improvements, based on the 2002 mill levy. Using the allowable tax exemption of 100

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 207

percent, the City would be exempting (for the first year) \$28,490 of new taxes from the real property tax rolls. The tax exemption would be shared among the taxing entities as follows: City - \$7,961; County/State - \$7,569; and USD 259 - \$12,960.

The cost/benefit analysis based on the fiscal and economic impact model of the Wichita State University's Center for Economic Development and Business Research reflects cost/benefit ratios as follows:

City of Wichita	1.70 to one
Sedgwick County	1.90 to one
USD 375	1.00 to one
State of Kansas	9.87 to one

Bond documents needed for the issuance of the bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to speak and no one appeared.

Motion--

Schlapp moved that the Letter of Intent to Lee Aerospace, Inc. for Industrial Revenue Bonds in an amount not to exceed \$1,200,000, subject to the Standard Letter of Intent Conditions for a term of six-months, and a 100% tax abatement on all bond-financed property for an initial five-year period plus an additional five-years following City Council review be approved, and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

## MUN. COURT

### MUNICIPAL COURT INITIATIVE.

Cathy Holdeman

Assistant City Manager reviewed the item.

Agenda Report No. 03-1007

Council Member Schlapp momentarily absent.

The City of Wichita's Domestic Violence Program has been in existence for 13 years. Over this period of time the City has worked in partnership with the Domestic Violence Coalition (a group of professional and interested individuals supportive of a strong and effective Domestic Violence program) to develop and implement recommendations to reduce the incidence of domestic violence in the community.

At its July 22, 2003 City Council Workshop, the Mayor and Council Members were provided with a briefing on the most recent actions to address domestic violence. The presentation outlined the problems with the domestic violence system and identified actions underway by law enforcement, prosecution and the judicial system. City staff, working in partnership with the Domestic Violence Coalition, developed a work plan outlining next steps that was also presented to the Council.

City staff have continued to meet with members of the Domestic Violence Coalition to implement the work plan outlined at the July 22, 2003 City Council Workshop. One of the recommendations was to develop a Domestic Violence Initiative, a broad-based effort to scan the community's response to domestic violence. One part of the Initiative is to implement a pilot program that utilizes trained volunteers to observe Municipal Court proceedings on domestic violence cases. The pilot program will be expanded to include observation of District Court cases including civil, criminal and family when resources are available.

The Domestic Violence Initiative is obtain more information on the response by shelters and other victim service providers and offender services. Actions will be outlined on how to better utilize the media for better awareness of this community-wide problem. Prevention will play a key role reducing the incidence of domestic violence so the efforts by the school system and agencies involved in prevention programs will be studied. The role of the faith community and health care providers will be

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 208

examined to look for ways to improve community response. Finally, the City, along with members of the Domestic Violence Coalition, will work on amendments to domestic violence legislation.

Municipal Court proceedings are open to the public and observation is allowed.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to speak and no one appeared.

Motion--  
--carried

Mayans moved that the Domestic Violence Initiative, including a pilot project to observe municipal court proceedings through the utilization of trained volunteers be approved. Motion carried 7 to 0.

## CONDEMNATIONS

### REPAIR OR REMOVAL OF DANGEROUS & UNSAFE STRUCTURES.

Kurt Schroeder

Central Inspection Superintendent reviewed the item.

Agenda Report No. 03-1008

On August 19, 2003 a report was submitted with respect to the dangerous and unsafe conditions on five (5) properties. The Council adopted resolutions providing for a public hearing to be held on these condemnation actions at 9:30 a.m. or as soon thereafter, on October 7, 2003. Since this time, two (2) properties have been demolished and three (3) properties remain for condemnation consideration.

On August 4, 2003, the Board of Code Standards and Appeals (BCSA) held a hearing on the following properties:

	<u>Property Address</u>	<u>Council District</u>
a.	2812 East Mossman	I
b.	1143 North Estelle	I
c.	717 North Beech	II

Pursuant to State Statute the Resolutions were published on August 20, 2003 and August 27, 2003. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

Kurt Schroder

Kurt Schroeder reported that on the speaker sign in sheet no one has signed in to speak on b.) 1143 N. Estelle and item c.) 717 North Beech and Staff would recommend that the Council proceed with condemnation removal of those structures. The property owner is here on item a.) 2812 East Mossman.

Motion--  
--carried

Mayans moved to accept the BCSA recommended action for the properties listed at b) 1143 N. Estelle and c) 717 North Beech and adopt the Resolutions. Motion carried 7 to 0.

Kurt Schroeder

Regarding Item a) 2812 E. Mossman, Kurt Schroeder reported that a number of notices were sent out regarding this property and a number of them were returned unclaimed. Over the past months the owner has gone in and cleaned up the premises and has properly secured the buildings, there are two buildings on this property. The owner has also indicated that during the time when the notices were issued she was out of town. The owner is requesting 60 days to complete the exterior repairs, the taxes are current, the premises are clean and both structures are secured.

Ms. Davison

Ms. Davison stated that she would like to have the 60 days to repair the structures and possibly a little longer if the weather turns bad.

Motion--

Brewer moved that the Public Hearing be closed, the resolutions declaring the buildings dangerous and unsafe structures be adopted, and accept the Staff recommended action to proceed with condemnation allowing 60 days to start demolition and 60 days to complete removal of the structures. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of October 7, 2003; (2) the structure(s) has/have been secured as October 7, 2003 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of October 7, 2003 and will be so maintained during renovation. Motion carried 7 to 0.

--carried

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 209

## RESOLUTION NO. 03-523

A Resolution finding that the structure/s located on west 1/2 Lot 7 – all Lots 72-74 & S. five feet Vac. Alley, Irving now Mossman Avenue, Frisco Avenue Addition to Wichita, Sedgwick County, Kansas, commonly known as 2812 East Mossman, is/are unsafe or dangerous and directing the structure/s to be removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## RESOLUTION NO. 03-524

A Resolution finding that the structure/s located on Lots 105-107 and North 15 ft. Lot 111, Estelle Avenue, Fairmount Park Addition, Wichita, Sedgwick County, Kansas, commonly known as 1143 North Estelle, is/are unsafe or dangerous and directing the structure/s to be removed, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## RESOLUTION NO. 03-525

A Resolution finding that the structure/s located on South 1/2 Lot 9, Block 3, Lynch Addition to Travel Air City, Wichita, Sedgwick County, Kansas, commonly known as 717 North Beech, is/are unsafe or dangerous and directing the structure/s to be removed, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

### HARRY/MCLEAN

### HARRY AT MCLEAN INTERSECTION IMPROVEMENT. (DISTRICT IV)

Neil Cable

City Engineer reviewed the item.

Agenda Report No. 03-1009

The Capital Improvement Program (CIP) includes a project to improve the intersection of Harry at McLean. On April 3, 2002, District Advisory Board IV sponsored a neighborhood hearing on the proposal. The Board expressed support of the project.

The original project was to provide left turn lanes at the north and south approaches to the intersection. However, it was subsequently decided that traffic conditions warrant adding a left turn lane at the west approach to the intersection. It is most cost effective to add this left turn lane to the present project and this change is supported by KDOT. Drainage will be improved. New traffic signals will be installed. The available right-of-way will be landscaped. The project is scheduled for construction in 2004.

The estimated project cost is \$990,000, with \$250,000 paid by the City and \$740,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds. The original project is included in the approved 2002-2011 CIP for 2005 (\$350,000 GO, \$500,000 Federal), page 72. The revised project is included in the proposed 2004-2013 CIP for 2004 (\$250,000 GO, \$740,000), page 19.

Mayor Mayans Mayor Mayans inquired if anyone wished to speak and no one appeared.

Motion--  
--carried

Gray moved that the project be approved; the Ordinance be placed on first reading and the necessary signatures be authorized. Motion carried 7 to 0.

## ORDINANCE

An Ordinance declaring the intersection of Harry and McLean (472-83781) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 210

## **PAWNEE IMPROV.     IMPROVEMENT OF PAWNEE, WASHINGTON TO HYDRAULIC AND THE INTERSECITON OF PAWNEE AND WASHINGTON. (DISTRICT III)**

Neil Cable                      City Engineer reviewed the item.

Agenda Report No. 03-1010

The Capital Improvement Program includes projects to improve Pawnee, between Washington and Hydraulic, and the intersection of Pawnee and Washington. The District III Advisory Board held April 2, 2003, and September 3, 2003, neighborhood hearings on the projects. The Board voted 9-0 to recommend approval.

The proposed improvements consist of widening Pawnee between Washington and Hydraulic to provide four through lanes and a center two-way left turn lane. The roadway will be shifted north with properties acquired on the north side of Pawnee. Left turn lanes will be provided at all four approaches to the intersection of Pawnee and Washington. The north approach of the intersection of Pawnee and Washington will be widened.

The estimated cost of the Pawnee, Washington to Hydraulic, improvement is \$2,825,000, with \$1,600,000 paid by the City and \$1,225,000 paid by Federal Grants administered by the Kansas Department of Transportation. The estimated cost of the Pawnee and Washington intersection improvement is \$1,385,000, with \$625,000 paid by the City and \$760,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds.

Council Member Fearey     Council Member Fearey inquired why the District Advisory Board recommended this option.

Neil Cable                      Neil Cable explained that it was the preferred option of the four that were presented and that there were a couple options that were more expensive than this one. The original project was to center the roadway and widen it without the need to acquire as many properties.

Council Member Fearey     Council Member Fearey stated that it looks to her like we are spending more money than was budgeted and also acquiring property which will be off the tax rolls.

Council Member Brewer momentarily absent.

Council Member Gray       Council Member Gray stated that he would prefer that in the future if there are multiple options available and they are presented to the District Advisory Boards, that the Council Members also have those options available to them so they can have a more insightful decision.

Mayor Mayans                Mayor Mayans inquired if anyone wished to speak.

Carolyn Brand                Carolyn Brand stated that she owns the property located at 2351 Ellis. This property was acquired by her father in 1942 and the property has since been signed over to her. She and her husband are currently renovating the house, which they have stopped pending the decision of the City. She is objecting to the roadway going north and that it would be more advantageous to the City to go with the original plan which is down the center and leave the properties alone. She is asking that the Council consider the monetary difference.

Laura Cooper                Laura Cooper stated that she lives at 2355 Laura and that it would be cheaper to go on the north side instead of the south side because the south side of Pawnee is commercial. Ms. Cooper is asking how long will it take to get their property appraised.

Lisa Dean                     Lisa Dean stated that she lives at 2351 Victoria and she also agrees with Ms. Cooper and would like to be bought out.

Ken Farris                    Ken Farris stated that he lives at 2348 Ellis and that the option that has been chosen will put the roadway five feet from his house.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 211

Council Member Schlapp momentarily absent.

- Trish Foreaker Trish Foreaker stated that she owns a business one block east of Washington on Pawnee and that at the neighborhood meeting it was geared more towards the homeowners. Would like the Council to look at this closely for everyone involved and would think that the City would want to take the most cost effective approach.
- No name given Stated that he agrees with Council Member Gray and feels that the Council Members should have more information given to them regarding the different options.
- Inaudible Stated that he owns a business located at 1027 East Pawnee and that if this project goes through on the north side, Pawnee will be closed for almost a year, which would affect his business. He is requesting that the Council Members review the option that would be the best for everyone.
- Clifford Witherspoon Clifford Witherspoon stated that he lives at 2347 Pattie Street and would like to know if he will be given a date for when he will be moved out of his home and will the City offer any assistance with relocating his family into a decent area.
- Neil Cable Neil Cable stated that he would advise people to visit with Property Management, John Philbrick, regarding relocation and the buyout.
- Council Member Martz Council Member Martz stated that he would like to have the opportunity to see what the other choices are and to defer this matter until the next Council Meeting.
- Council Member Lambke Council Member Lambke stated that he does not like the idea of deferral and that there were two DAB meetings held and everyone had an opportunity to voice their opinions and that this is the option that was recommended by the DAB. This project is urgently needed and to delay it is not to anyone's advantage and would like to get this project started so the property owners can make plans and know how much money they will have to relocate.
- Motion-- Lambke moved that this item be deferred until the next City Council Meeting. Motion carried  
--carried 7 to 0.

## **13<sup>TH</sup> ST. BRIDGE** **13<sup>TH</sup> STREET BRIDGE OVER COWSKIN CREEK-WEST OF 119<sup>TH</sup> STREET WEST.** **(DISTRICT V)**

Neil Cable City Engineer reviewed the item.

Agenda Report No. 03-1011

The 2002-2011 Capital Improvement Program (CIP) includes a project to replace the 13th Street Bridge over Cowskin Creek. On April 7, 2003, the District V Advisory Board voted unanimously to recommend approval of the project. On May 6, 2003, the City Council approved a design concept that provides for a 265 foot long, 5 span structure, that will carry four lanes of traffic.

The existing bridge is an old County two-lane structure that is functionally obsolete. Floodwaters from Cowskin Creek overtop the bridge on a frequent basis. The elevation will be 1.3 foot higher than the existing bridge. The 13th Street approaches to the bridge will be built to a four lane arterial standard from west of Azure Street on the west side of the bridge to Cedar Park Street east of the bridge. The project is scheduled for letting this winter. A SECOND phase of the project will widen 13th Street to four lanes east of Cedar Park to the west approach of the 13th and 119th Street West intersection.

The budget contained in the current CIP is \$1,855,000 with \$655,000 paid by the City and \$1,200,000 by Federal Grants administered by the Kansas Department of Transportation. The current project estimate is \$3,020,000 with \$1,020,000 paid by the City and \$2,000,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 212

Obligation Bonds. Funding for the budget increase is included in the 2004-2013 CIP and is subject to City Council approval at a later date.

Mayor Mayans Mayor Mayans inquired if anyone wished to speak and not one appeared.

Motion--  
--carried

Martz moved that the project be approved; the Ordinance be placed on First Reading; and the necessary signatures be authorized. Motion carried 7 to 0.

## ORDINANCE

An Ordinance declaring 13th Street North, between a point approximately 100 feet west of Azure to a point approximately 300 feet east of Cedar Park Street, including the 13th Street Bridge at Cowskin Creek (472-83851) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

## TRAFFIC STUDY

### **AUTHORIZING ORDINANCE: 47<sup>TH</sup> STREET SOUTH TRAFFIC STUDY, FROM BROADWAY TO I-35. (DISTRICT III AND IV)**

Neil Cable

City Engineer reviewed the item.

Mayor Mayans momentarily absent with Vice Mayor Fearey in the Chair.

Agenda Report No. 03-1012

On August 7, 2001, the City Council approved a City/State agreement for a traffic study of the 47th Street South Corridor, between Broadway and the I-135 Interstate Freeway. Its purpose is to assist the City and the Kansas Department of Transportation with planning for future street improvements. The results of the study will be presented at a later date to affected property owners, District Advisory Boards, and the City Council.

An authorizing Ordinance has been prepared for project funding.

The estimated study cost is \$200,000 with \$100,000 paid by the Local Sales Tax and \$100,000 by Federal Grants administered by the Kansas Department of Transportation, per City Council action August 7, 2001. The approved 2002-2011 Capital Improvement Program includes funding for the project in 2002 (\$100,000 GO, \$100,000 KDOT), page 40.

Vice-Mayor Fearey

Vice-Mayor Fearey inquired if anyone wished to speak and no one appeared.

Motion--carried

Lambke moved that the Ordinance be placed on first Reading. Motion carried 7 to 0.

## ORDINANCE

An Ordinance declaring 47th Street South, from Broadway to I-135 Freeway, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

## ESCORT SERVICES

### **ORDINANCE AMENDMENT PERTAINING TO LICENSING QUALIFICATIONS AND FEES FOR ESCORT SERVICES.**

Gary Rebenstorf

Director of Law reviewed the item.

Agenda Report No. 03-1013

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 213

On August 26, 2003 and September 23, 2003, the City Council conducted workshops on the current ordinances relating to the licensing and activity of escort services conducting business within the City of Wichita. As a result of information presented and discussed at the workshops, the Council requested that the city's ordinance be amended to provide additional health screening requirements for persons seeking to be licensed and do business as escorts, increase the fees charged for escort services and individual escorts to adequately offset the costs of such regulatory activity, and increase the maximum fine for violations of the ordinance.

The proposed ordinance amendment impacts certain sections of Chapter 3.07 of the City Code and addresses the licensing fees for escort services, escorts and escort service runners, as well as imposing additional health screening requirements for escorts. Specifically, Section 3.07.050 and 3.07.180 are amended to increase licensing fees from \$100 to \$500 for escort services, and from \$25 to \$100 for individual escorts and escort service runners. These fees will be charged on an annual basis, as is required under the current ordinance. The proposed amendment to Section 3.07.170 also sets forth a requirement that all escort license applicants be screened for certain communicable diseases as a condition of obtaining or renewing such a license and establishes a new requirement (Section 3.07.195) that requires additional screening if the city's designated health officer has probable cause to believe that the licensee has contracted a communicable disease. The proposed amendments also provide that the maximum fine for violation of the ordinance be increased from \$500 to \$1,000.

The increase in licensing fees will generate additional revenue to compensate for the costs associated with licensing and regulating such activity, as well as costs associated with enforcement efforts required of the Wichita Police Department.

Mayor Mayans

Mayor Mayans inquired if anyone wished to speak and no one appeared.

Motion--carried

Schlapp moved that the ordinance be placed on first reading. Motion carried 7 to 0.

## ORDINANCE

An Ordinance amending Sections 3.07.010, 3.07.050, 3.07.170, 3.07.180, 3.07.190, 3.07.200 and 3.07.210, and creating sections 3.07.005 and 3.07.195 of the Code of the City of Wichita, Kansas, pertaining to qualifications and fees for licensing of escort services, escorts, and escort service runners, and the penalty for violations thereof, and repealing the original of said sections, introduced and under the rules laid over.

## SRO'S

### SCHOOL RESOURCE OFFICERS.

Norman Williams

Police Chief reviewed the item.

Council Member Gray momentarily absent.

Agenda Report No. 03-1014

Approve the addition of 10 new police officer positions funded from appropriated reserves.

In May 1997, the Wichita Police Department implemented the School Resource Officer (SRO) program in six USD 259 high schools (Heights High School had not yet been annexed into the City). In 2000, the SRO program was expanded to include fourteen middle schools in USD 259 and Heights High School. A Community Oriented Policing Services (COPS) grant of \$985,285 was also secured in 2000 and utilized to fund eight SRO positions over a three-year period.

The COPS grant expired in 2003 and the City funded all twenty-one positions from the City's General Fund. Nine officers assigned to the SRO program were redirected to staff two new patrol beats that were created to address the growing populace on the east and west sides of the City. The new beats enhanced response times, balanced service calls and provided better service to newly annexed areas.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 214

The School Resource Officer Program has become a valued program by the School District as the officers mentor students, work to address the needs of at-risk children before they become involved in criminal behavior, and provides some educational programming relating to safety and security. The presence of a SRO also creates a more secure atmosphere within the schools. The Board of Education has expressed its support for the continuation of this program at fifteen middle schools (Stuckey Middle School opened this year) and seven high schools. The School District is willing to share in the cost of adding 10 SROs during the current school year and the Fall of 2004.

Two City Council Members, Council Member Martz and Council Member Schlapp, were asked to work with two School District elected officials (Connie Dietz and Kevass Harding) to devise a plan for reinstating ten SROs. It was agreed that officers would be added to schools as they became available. A recruit class is scheduled for January 12, 2004 to train individuals for vacant positions (currently there are eleven vacant positions). Once these officers are trained they can be assigned as School Resource Officers.

School District and City Council representatives have agreed to share the cost of funding ten School Resource Officers positions. The School District has pledged \$250,000 towards the cost of staffing (salaries, clothing and equipment) and the City is requested to provide a matching amount. Funds will be utilized during the current school term (and possibly in the Fall of 2004). It is proposed to utilize City General Fund Reserves for the City share of this program. A more permanent source of funding will need to be determined for future years by both the City and the School District.

Mayor Mayans

Mayor Mayans inquired if anyone wished to speak.

Kevass Harding

Kevass Harding introduced himself as a school board member and stated that they have already taken \$250,000.00 from their reserves for this project; and that this is a great endeavor as a partnership where the City Council and the School Board can come together to increase the SRO's in our schools, not just for security reasons, but also for mentors.

Norman Williams

Chief Williams reported that it takes 30 weeks of training for new officers and that they will open that position up for the veteran officers to apply for. They will not put inexperienced officers into the schools.

Council Member Martz

Council Member Martz stated that the Council is recommending a one-year funding and an attempt to find continuing funding. This is an effort to get the SRO's back into the schools this year and these funds are to be used as needed.

Motion--

Mayans moved that the ten (10) positions as School Resource Officers to be deployed as staff becomes available subject to a contribution of \$250,000 by USD 259 be authorized and up to \$250,000 from the General Fund reserves to cover the City's costs of these additional positions through 2004 be approved.

--carried

Motion carried 7 to 0.

## EXTERNAL AUDIT

### EXTERNAL AUDIT SERVICES.

Kelly Carpenter

Assistant Finance Director reviewed the item.

Agenda Report No. 03-1015

Council Member Martz momentarily absent.

Federal and State law, as well as City policy, require all City programs to be audited annually by a certified public accounting firm. A separate audit of the City's pension plans is required to meet certification requirements of the Government Finance Officer's Association. In addition, the City's Federal Forfeiture Program is required to be audited each year, as is the Passenger Facility Charge Program and federally funded grant programs, all in accordance with federal regulations.

In 1999, the Governmental Accounting Standards Board (GASB) issued Statement No. 34, Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 215

This statement has brought significant changes to the City's financial statements. The most important changes in the new Financial Reporting Model include the following:

Government-wide reporting  
Infrastructure reporting  
Depreciation accounting  
Basis of accounting

Other changes (necessitated by GASB Statement No. 34) impacted budgetary reporting, spending focus for tax-supported activities, reporting of trust funds, and a narrative analysis to accompany the basic financial statements. The staff, with the assistance of current external audit firm, Allen, Gibbs & Houlik, L.C., have implemented GASB Statement No. 34, which became effective for the City of Wichita on January 1, 2002.

In 2003, a Request for Proposal for audit services for the years 2003 through 2007 was extended directly to 17 certified public accounting firms and posted on the City's web site. Two firms responded, Allen, Gibbs & Houlik, L.C. and KPMG LLP. Based on the scope of services offered by the respective firms and the not to exceed cost over the five years proposed, the audit firm, Allen, Gibbs & Houlik, L.C. is recommended to provide external audit services at a fee of \$151,488 for fiscal 2003. Ancillary services that may be requested in addition to those within the scope of the audit will also be billed at a lower rate than the competing firm.

Allen, Gibbs & Houlik, L.C. has provided audit services for the past five (5) years and is knowledgeable with respect to the current accounting issues and financial reporting practices of the City. AGH is a locally owned certified public accounting and consulting firm located in Wichita. AGH employs approximately 110 professionals plus staff support and provides a range of services, including audit, assurance services, federal and estate tax services, benefits, outsourcing, technology and business consulting.

The proposed (not-to-exceed) fees for audit services provided by Allen, Gibbs, and Houlik are as follows:

Financial Year	Federally Statements	Pension Forfeited	Plans	HUD	Total
2003	136,200 2,900	10,200	2,188	151,488	
2004	140,290 2,990	10,500	2,252	156,032	
2005	144,500 3,080	10,815	2,319	160,714	
2006	148,830 3,170	11,140	2,395	165,535	
2007	153,300 3,270	11,475	2,456	170,501	

The cost of audit services for the City's general financial statements is funded proportionately by the entities subject to audit (e.g. General fund, Enterprise Funds, etc.). Audit services pertaining to the Federal, pension, and Self-Supporting Municipal Improvement District (SSMID) are paid from those funds or entities.

Kansas law requires an annual audit of City financial records by a certified public accounting firm (K.S.A. 75-1122) in accordance with the minimum standard audit program (K.S.A. 75-1123).

Mayor Mayans

Mayor Mayans inquired if anyone wished to speak and no one appeared.

Motion--

Mayans moved that the contract for external audit services for the fiscal year ending December 31, 2003, with a four one-year options for renewal with Allen, Gibbs & Houlik, L.C., be approved and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 216

## REALIGNMENT OF MCCORMICK

## REALIGNMENT OF MCCORMICK WEST OF K-42 HIGHWAY. (DISTRICT IV)

Neil Cable

City Engineer reviewed the item.

Agenda Report No. 03-1016

On July 1, 2003, the City Council approved an agreement with Newman University for the design of a project to relocate McCormick along the north perimeter of the campus. Newman University agreed to contribute \$50,000 for the concept design plans. The Staff Screening and Selection Committee has selected MKEC Engineering Consultants to prepare construction plans.

The City Council approved the agreement with Newman University with the understanding that construction funding will be programmed into the 2004-2013 Capital Improvement Program. The discovery phase of the contract funded by Newman University can be approved now. The design phase for construction and bid documents can be approved later as a supplemental agreement after the proposed CIP is approved.

The current estimated design cost is \$165,000 with \$115,000 paid by the City and \$50,000 by the Newman University contribution. The design is scheduled for 2004 and construction is scheduled for 2006 in the Capital Improvement Program Workbook. The proposed funding source is General Obligation Bonds.

Mayor Mayans

Mayor Mayans inquired if anyone wished to speak and no one appeared.

Motion--  
--carried

Gray moved that the discovery phase of the design contract be approved; the Ordinance be placed on first Reading; and the necessary signatures be authorized. Motion carried 7 to 0.

### ORDINANCE

An Ordinance declaring a perimeter road along the north boundary of Newman University, from 350 feet west of Sheridan to K-42 highway 472-83831 to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, introduced and under the rules laid over.

## CITY COUNCIL AGENDA

### VOTING DELEG.

### SELECTION OF NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING VOTING AND ALTERNATE VOTING DELEGATES.

Mayor Mayans

Mayor Mayans stated that Council Members Martz, Brewer and Gray will be attending this meeting.

Motion--  
--carried

Mayans moved that Council Member Martz be the voting delegate and Council Member Brewer the alternate voting delegate. Motion carried 7 to 0.

### CSBG

### CSBG REVIEW COMMITTEE APPOINTMENTS.

Agenda Report No. 03-1017

The City of Wichita receives federal Community Services Block Grant (CSBG) funds to provide services to low-income persons. Federal law governing the use of these funds mandates the existence of a board to participate in the development, planning, implementation, and evaluation of the CSBG program.

When the Council restructured advisory boards and commissions in December of 1999, it created the

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 217

CSBG Review Committee to provide citizen input for the CSBG program in accordance with federal mandates. The Council chose to base the membership of the Committee within the District Advisory Boards in order to take advantage of the special knowledge base of the DAB members.

The Committee is comprised of three sectors: public, community, and low-income. The City Council appoints the public and community representatives. Those nominees who are not appointed to the public and community positions will have the opportunity to stand for election by low-income residents in the four quadrants of the City. All terms are two years; members may serve two consecutive terms.

## Community Representatives (appoint four)

<u>Name</u>	<u>DAB</u>	<u>Sector</u>
Charlotte Foster	III	Education
Art Marquez	VI	Business
Jaya Escobar	VI	Education
*Cliff Sones	N/A	Business
*Pat Hanrahan	N/A	United Way
*current members		

## Public Sector Representatives (appoint four)

<u>Name</u>	<u>DAB</u>
Jim Vossen	II
Judy Dillard	III
Matt Foley	III
Jerry McGinty	IV
Jim Benton	IV
*Ed Koon	IV
Rick Shellenbarger	VI
Paul Daimen	VI
*Debby Moore	I
Chris Mains	Community Police Officer
*Donnah Taylor	N/A

\*current members

The nominations for Committee membership were made in conformance with the appropriate controlling City Ordinance and federal mandates.

Motion -- carried      Mayans moved that this item be deferred until the next Council Meeting. Motion carried 7 to 0.

## BOARD APPTS.

## BOARD APPOINTMENTS.

Motion--  
--carried      Mayans moved that Inafay Grays-McClellan be reappointed to the Housing Authority Board. Motion carried 7 to 0.

Motion--  
--carried      Martz moved that William Deer be appointed to the Historical Preservation Board. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 218

## CONSENT AGENDA

Motion--  
--carried

Mayans moved that the Consent Agenda, except Item 34, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

## **BOARD OF BIDS**

### REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED OCTOBER 6, 2003.

Bids were opened September 19, 2003 and October 3, 2003, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

Water distribution system to serve Crystal Creek Addition - north of Harry, west of Webb. (448-89859/735146/470816) Does not affect existing traffic. (District II)

McCullough Excavation - \$68,700

Storm Water Sewer #590 to serve Fox Ridge Addition - north of 29th Street North, west of Tyler. (468-83653/751342/485233) Does not affect existing traffic. (District V)

WB Carter Construction - \$143,007

Main 19 Southwest Interceptor Sewer, Phase 4 - north of 37th Street, 1/4 mile west of Ridge Road. (468-83186/743990/480678) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Dondlinger & Sons - \$279,455

Main 19 Southwest Interceptor Sewer, Phase 3 - along Ridge Road from 29th Street North to 37th Street North. (468-83186/743990/480678) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Dondlinger & Sons - \$251,758

Water distribution system to serve Dugan Industrial Second Addition - north of K-42, east of Maize. (448-89871/735143/470813) Does not affect existing traffic. (District V)

McCullough Excavation - \$23,150

Motion--  
--carried

Mayans moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

FINANCE DEPARTMENT/IT-IS DIVISION: Replace Env Control Air Handler Units.

American Mechanical Inc. - \$39,306 (Group 1/Total net bid)

VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Concrete Requirements.

Dolese Bros Co. - \$155,495 (Total net bid)

PUBLIC WORKS DEPARTMENT/BUILDING DIVISION: Central Maintenance Facility Modification.

Commerce Construction Services Inc. - \$256,678 (Group 1/total net base bid)  
\$ 36,641 (Group 1/Alternate 2)  
\$ 81,185 (Group 1/Alternate 3)  
\$ 17,300 (Group 1/Alternate 5)

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 219

\$ 2,685 (Group 1/Alternate 6)

PUBLIC WORKS DEPARTMENT/STORM WATER MANAGEMENT DIVISION: Limuel Drainage Improvements.

WB Carter Construction Co. - \$42,631 (Total net bid)

PUBLIC WORKS DEPARTMENT/LAND FILL DIVISION: Loader and Portable Horizontal Grinder.

Sellers Tractor Co., Inc. - \$162,956 (Group 1/total net bid)  
No Charge (Group 1/Option 1)  
\$ 4,137 (Group 1/Option 2)  
\$ 10,282 (Group 1/Option 3)  
\$ 5,264 (Group 1/Option 4)  
\$ 3,307 (Group 1/Option 5)

Morbark, Inc. - \$323,547 (Group 2/total net bid)  
\$ 4,500 (Group 2/Option 1)  
\$ 8,575 (Group 2/Option 2)

Motion--  
--carried

Mayans moved that the report be received and filed, the Contracts be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## LICENSES

### APPLICATION FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES:

#### New Adult Entertainment

Sonja Barres	Class Act	209 South Washington
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#### New Escort Service

Kimberly D. Ortiz	MV Management	304 South Laura
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Motion--  
--carried

Mayans moved that the licenses subject to Staff review and approval be approved. Motion carried 7 to 0.

### APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
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Elva Devora	Conquistador Mexican Restaurant*	1504 West 21st Street North
<u>Renewal</u>	<u>2003</u>	<u>(Consumption off Premises)</u>

Benjamin J. Schultz	T&E Oil Co., Inc. dba Pantry Plus #11	3935 North Broadway
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<u>New Establishment</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
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Charlie D. Nguyen	Cam Ranh Bay Restaurant*	527 East Central
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\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --  
--carried

Mayans moved that the licenses subject to Staff review and approval be approved. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 220

## PRELIMINARY ESTS. PRELIMINARY ESTIMATES:

- a) Kellogg (US 54) and Rock Road Interchange Part 3: Pump Station (468-83638/702325/401342) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$2,198,200.00
- b) 2003 sanitary sewer reconstruction, Phase 8 (Various Locations) - east of Seneca, north of 31st Street South. (468-83683/620386/663507) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV, VI) - \$354,000.00
- c) 2003 sanitary sewer rehabilitation, Phase D (Various Locations) - north of 47th Street South, east of Meridian. (468-83684/620385/663506) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV, VI) - \$166,000.00
- d) Barton Creek from the north line of the Plat, south and east to Barton Creek Circle; Barton Creek Circle from the north line of Barton Creek south to and including the cul-de-sac to serve Willowbend North Estates Second Addition - south of 45th Street North, west of Rock. (472-83833/765816/490927) Does not affect existing traffic. (District II) - \$242,000.00
- e) Lateral 65, Main 4 Southwest Interceptor Sewer - along Socora, north of Maple. (468-83503/743945/480633) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$130,000.00
- f) Water distribution system to serve Wilson Farms Fourth Addition - south of 21st Street North, west of Webb. (448-89875/735145/470815) Does not affect existing traffic. (District II) - \$59,000.00
- g) Left and right turn Lanes on 13th Street, including the relocation of electrical transmission lines to serve The Waterfront Addition and adjacent tracts - north of 13th, east of Webb. (472-83699 & 448-89878/765798/490909) Does not affect existing traffic. (District II) - \$493,000.00
- h) Lateral 354 Four Mile Creek Sewer to serve Crystal Creek Addition - north of Harry, west of Greenwich. (468-83677/744007/480695) Does not affect existing traffic. (District II) - \$287,000.00
- i) Lateral 355 Four Mile Creek Sewer to serve Crystal Creek Addition - north of Harry, west of Greenwich. (468-83678/744008/480696) Does not affect existing traffic. (District II) - \$66,000.00
- j) Water distribution system to serve Crystal Creek Addition - north of Harry, west of Webb. (448-89859/735146/470816) Does not affect existing traffic. (District II) - \$178,000.00
- k) Storm Water Sewer #590 to serve Fox Ridge Addition - north of 29th Street North, west of Tyler. (468-83653/751342/485233) Does not affect existing traffic. (District V) - \$191,000.00
- l) Main 19 Southwest Interceptor Sewer, Phase 4 - north of 37th Street, 1/4 mile west of Ridge Road. (468-83186/743990/480678) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$535,000.00
- m) Main 19 Southwest Interceptor Sewer, Phase 3 - along Ridge Road from 29th Street North to 37th Street North. (468-83186/743990/480678) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$389,452.85

Motion--carried

Mayans moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

## COST STATEMENTS STATEMENTS OF COST:

- a) City Hall Fire Alarm Upgrade (Construction). Total Cost-\$289,865.14, (less idle fund interest-\$1,874.86),-plus temporary note financing-\$0.00,-less financing previously issued-\$225,000.00-less

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 221

financing from interfund transfers-\$0.00).Financing to be issued-\$66,740.00 (792373/435343).

b) Fire Station Relocation Phase II (Right-of-way). Total Cost-\$73,511.76, (less idle fund interest-[\$288.24],-plus temporary note financing-\$0,-less financing previously issued-\$50,000.00-less financing from interfund transfers-\$0.00).Financing to be issued-\$23,800.00 (792389/435359).

c) North Regional Library (Design/Construction). Total Cost-\$419,196.62, (less idle fund interest-[\$3,213.38],-plus temporary note financing-\$0.00,-less financing previously issued-\$420,000.00-less financing from interfund transfers-\$0.00).Financing to be issued-\$2,410.00 (792374/435344).

d) Lawrence Dumont Stadium Repairs (Construction). Total Cost-\$3,386,906.50,(less idle fund interest-[\$39,107.08],-plus temporary note financing-\$35,378.42,-less financing previously issued-\$3,449,472.00-less financing previously issued-\$3,449,472.00-less financing from interfund transfers-\$0.00). Financing to be issued-\$11,920.00 (792051/358234).

Motion--carried

Mayans moved that the Statements of Cost be approved and filed. Motion carried 7 to 0.

## PETITIONS

### **PETITION TO PAVE WESTLAKE PARKWAY IN FOX RIDGE ADDITION-NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER. (DISTRICT V)**

Agenda Report No. 03-1018

The Petition has been signed by three owners, representing 100% of the improvement district.

The project will provide street paving in Fox Ridge Addition, a new residential development located north of 29th Street North, between Maize and Tyler.

The Petition totals \$91,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO. 03-526

Resolution of findings of advisability and Resolution authorizing improvi8ng Westlake Parkway from the west line of Tyler to the east line of Lot 174, Block 1 (north of 29th Street North, between Maize and Tyler) 472-83784 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## MILEEN ACRES

### **PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE LOTS 8 AND 9, MILEEN ACRES ADDITION-SOUTH OF 29TH STREET NORTH, WEST OF ARKANSAS. (DISTRICT VI)**

Agenda Report No. 03-1019

The Petition has been signed by two owners, representing 100% of the improvement district.

The project will extend sanitary sewer service to a single-family home located south of 29th Street North, west of Arkansas

The Petition totals \$9,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 222

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

## RESOLUTION NO. 03-527

Resolution of findings of advisability and Resolution authorizing construction of Lateral 143, Main 4, Sanitary Sewer #23 (south of 29th Street North, west of Arkansas) 468-83711, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

### **PETITION TO CONSTRUCT A SANITARY SEWER MAIN TO SERVE EVERGREEN ADDITION AND AN UNPLATTED TRACT-SOUTH OF 29TH STREET NORTH, WEST OF MAIZE ROAD. (DISTRICT V)**

Agenda Report No. 03-1020

A Petition has been submitted to include Evergreen Addition and an unplatted tract in a sanitary sewer main improvement district. The signatures on the Petition represents 100% of the improvement district.

The area being served is a new commercial and residential development located south of 29th Street North, west of Maize Road.

The Petition totals \$28,103. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

## RESOLUTION NO. 03-528

Resolution of findings of advisability and Resolution authorizing improving of Main 6, Part F, Northwest Interceptor Sewer (south of 29th Street North, west of Maize) 468-83705 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

OVERBROOK 2ND

### **PETITION TO CONSTRUCT A SANITARY SEWER AND WATER DISTRIBUTION SYSTEM TO SERVE CRESTVIEW COUNTRY CLUB ESTATES OVERBROOK SECOND ADDITION-NORTH OF CENTRAL, EAST OF 143RD STREET EAST. (DISTRICT II)**

Agenda Report No. 03-1021

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide sanitary sewer and water service to a new residential development located north of Central, east of 143rd Street East.

The Petitions total \$116,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 223

## RESOLUTION NO. 03-529

Resolution of findings of advisability and Resolution authorizing construction of water Distribution System Number 448-89882 (north of Central, east of 143rd Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## RESOLUTION NO. 03-530

Resolution of findings of advisability and Resolution authorizing improving of Lateral 358, Four Mile Creek Sewer 468-83709 (north of Central, east of 143rd Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## **BOARDS MINUTES      MINUTES OF ADVISORY BOARDS/COMMISSIONS:**

July 10, 2003 - Wichita Employees' Retirement Board/Police & Fire Retirement Board  
July 14, 2003 - Board Of Park Commissioners  
July 16, 2003 - Wichita Employees' Retirement System  
July 22, 2003 - Housing Advisory Board Meeting Minutes  
August 4, 2003 - City Of Wichita Airport Advisory Board  
August 4, 2003 - Board Of Code Standards and Appeals Minutes  
August 7, 2003 - Wichita Employees' Retirement Board/Police & Fire Retirement Board  
August 11, 2003 - Board Of Park Commissioners Regular Meeting  
August 12, 2003 - Minutes Of Meeting Of Board Of Electrical Appeals  
August 19, 2003 - Wichita Public Library

Motion--carried      Mayans moved that the Minutes be received and filed. Motion carried 7 to 0.

## **STREET CLOSURES      CONSIDERATION OF STREET CLOSURES/USES.**

Agenda Report No. 03-1064

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted.  
12th Annual Frostbite Regatta - Sunday, Nov. 2 – 8:00 a.m.-5:30 p.m.  
Nims Street Bridge from traffic circle in Riverside Park south to Central Street.

National Junior College Half Marathon Championships, November 23, 8:00-11:00 a.m.  
Sim park Drive from Stackman to Cowtown 8:45 – 9:05 a.m.

Police security is arranged to remove blockades as necessary to allow emergency vehicle access during entire designated time period

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 224

Motion--

Mayans moved that the that the request be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

--carried

## SHOAL CREEK

### **AGREEMENT TO RESPREAD ASSESSMENTS: SHOAL CREEK SECOND ADDITION- WEST OF 143RD. STREET EAST AND SOUTH OF CENTRAL. (DISTRICT II)**

Agenda Report No. 03-1022

The landowner, Scott Land, L.L.C., platted Shoal Creek 2nd Addition and has submitted an Agreement to respread special assessments within the Addition.

The land was originally included in several improvement districts for a number of public improvement projects. The purpose of the Agreement is to respread special assessments on a fractional basis for each lot. Without the Agreement, the assessments will be spread on a square foot basis.

There is no cost to the City.

Motion--

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

## RIDGE PORT

### **RESPREAD ASSESSMENTS: RIDGE PORT FIFTH ADDITION-NORTH OF 29TH STREET NORTH, EAST OF RIDGE ROAD. (DISTRICT V)**

Agenda Report No. 03-1023

The landowner, Ridge Port Development, L.L.C., platted Ridge Port 5th Addition and has submitted an Agreement to respread special assessments within the Addition.

The land was originally included in several improvement districts for a number of public improvement projects. The purpose of the Agreement is to respread special assessments on a fractional basis for each lot. Without the Agreement, the assessments will be spread on a square foot basis.

Motion--

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

## HOOVER IMP.

### **HOOVER FROM SOUTH OF 31ST STREET SOUTH TO HARRY-SUPPLEMENTAL. (DISTRICT IV)**

Agenda Report No. 03-1024

On December 7, 1999, the City entered into an Agreement with Professional Engineering Consultants, P.A. (PEC) for designing improvements to Hoover Road and K-42 Highway. On September 25, 2001, the City Council approved Supplemental Agreement No. 1 to expand the roadway construction from south of 31st Street South to north of Harry Street and add a Storm Water Pump Station adjacent to the west levee of the floodway. The Design Agreement with PEC requires PEC to provide construction engineering services if requested by the City.

The proposed Supplemental Agreement between the City and PEC provides for construction engineering for the Hoover Road Pump Station and additional engineering services for the design of underground conduits for a street lighting system.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 225

The costs associated with the construction engineering is \$134,255 and costs associated with design of the underground conduits is \$14,243. The total costs of \$148,498 and will be paid by General Obligation Bonds.

Motion--  
--carried

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## BIOSTIMULANTS

### **BIOSTIMULANTS-SEWAGE TREATMENT COLLECTION SYSTEM.**

Agenda Report No. 03-1025

A Request for Proposal (RFP) was sent to fifty-one (51) vendors to provide biostimulants. The Proposal is to provide complete odor control throughout the entire sanitary sewer collection system. The product will have performance enhancing capabilities in the collection system, as well as the wastewater treatment plants that are serviced by the collection system.

Six (6) vendors submitted proposals. The Staff Screening and Selection Committee interviewed and evaluated proposals submitted by vendors based on qualifications, experiences, expertise, facility, equipment, and pricing. Based on these criteria, NRP (Natural Resource Protection, Inc.) would provide the greatest benefit to the City of Wichita Water & Sewer Department for providing biostimulants.

The Contract will be for a period of six (6) months, with options to renew under the same terms and conditions for one (1) or two (2) six-month periods by mutual agreement of both parties.

There are sufficient funds in the Sewage Treatment Operating Budget to cover the cost of the biostimulants. The range of cost will be \$318,000 to \$415,187 annually.

Motion--  
--carried

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## DESIGN SERVICES

### **DESIGN SERVICES - CONSTRUCTION ENGINEERING AND STAKING FOR SHADOW WOODS ADDITION, WEST OF 135TH STREET WEST, NORTH OF MAPLE - SUPPLEMENTAL. (DISTRICT V)**

Agenda Report No. 03-1026

The City Council approved the project on February 11, 2003. On June 3, 2003, the City approved an Agreement with Baughman Company, P.A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide construction engineering services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for construction engineering and staking for the improvements in Shadow Woods Addition. Due to the current workload created by previous projects, City crews are not available to perform the construction engineering for this project.

Payment will be on a lump sum basis of \$18,850 and will be paid by special assessments.

Motion--  
--carried

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 226

## CHANGE ORDER

### CHANGE ORDER:135TH STREET WEST STRIPING, FROM 21ST STREET TO THE NORTHWEST SEWAGE TREATMENT PLAN AT 37TH STREET NORTH.. (DISTRICT V)

Agenda Report No. 03-1027

On September 26, 2000, the City Council approved the construction of the Northwest Sewage Treatment Plant, located north of 37th Street North, east of 135th Street West. A part of the work is the paving of 135th Street West, from 21st to the new plant entrance. Pavement striping was not included in the bid.

The paving was required by the County as a part of using street right-of-way to extend sewer mains. The County also requested that the new pavement be striped. Since the striping was not part of the original plans and specifications, a Change Order is required.

The total cost of the additional work is \$17,710. The funding source is Contract Maintenance Gas Tax Funds.

The Change Order amount is within 25% of the construction contract cost limit set by the City Council policy.

Motion--  
--carried

Mayans moved that the changer order be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

## CONDEMNATONS

### REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Agenda Report No. 03-1028

On September 8, 2003 the Board of Code Standards (BCSA) held a hearing on the following property. This property is considered a dangerous and unsafe structure, and is being presented to schedule a condemnation hearing before the Governing Body.

Improvement notices have been issued on this structure however, compliance has not been achieved. Pre-condemnation and a formal condemnation letter was issued and the time granted has expired. No action has been taken to repair or remove this property.

#### Property Address

#### Council District

a. 1200 North Estelle

I

This structure has defects that under Ordinance No. 28-251 of the Code of the City of Wichita shall cause it to be deemed as a dangerous and unsafe building, as required by State Statute for condemnation consideration.

Motion--  
--carried

Mayans moved that the resolution to schedule a hearing be adopted placing this matter on the agenda for a Hearing before the Governing Body on November 18, 2003, at 9:30 a.m., or as soon thereafter.  
Motion carried 7 to 0.

## RESOLUTION NO. 03-522

A Resolution fixing a time and place and providing for notice of a hearing before the governing body of the city of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lots 92-94-96 Estelle Ave., Fairmount Park Addition, Wichita, Sedgwick County, Kansas known as 1200 North Estelle may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 227

## **SANITARY SEWERS     RECONSTRUCTION & REHABILITATION OF SANITARY SEWERS.**

Agenda Report No. 03-1029

The Sewer Maintenance division of the Water & Sewer Department maintains the sanitary sewer system. Preventive maintenance includes the use of closed circuit cameras in evaluating old sewer lines. The sewer lines found to be in the poorest condition are then scheduled for reconstruction or rehabilitation. Reconstruction and rehabilitation of sanitary sewers helps to prevent stoppages, backups, and failures, and reduce inflow and infiltration into the system. Thus, maintenance costs are reduced, as well as inconvenience to customers. In addition, the City is legally responsible for adequate maintenance of the sanitary sewer system and can be held liable for damages from sewage backups.

As Staff identifies problems in the system, they are grouped together to form a subproject funded by Capital Improvement Program S-4. The subproject is then constructed using the standard bidding process. Staff establishes a reasonable budget for each subproject, so that the lowest bid can be accepted and unforeseen circumstances resolved. When each subproject is closed, any remaining budget authority is transferred back to S-4 to be reallocated.

At present, there is about \$1.3 million in budget authority that was approved in 2002 and was not needed for the projects to which it was originally assigned. However, there are recently identified projects for which these funds could be used.

Each year City Council approves an expenditure of about \$3.5 million for reconstruction/rehabilitation as part of the Capital Improvement Program (S-4). Since the Water & Sewer financial plan assumes that the funds will be spent, there is no negative financial impact from extending to 2003 the authority to spend the funds. If identified problems in the sanitary sewer system are not corrected, operating costs would eventually increase.

City Council has the authority to approve the use of these funds for the year 2003. If identified problems in the sanitary sewer system are not resolved, legal liability is created.

Motion--  
--carried

Mayans moved that the transfer of \$1.3 million from the 2002 budget to the 2003 budget be approved; the expenditure be authorized and the amended Resolution be adopted. Motion carried 7 to 0.

### **RESOLUTION NO. 03-536**

A Resolution amending Resolution No. 03-037 pertaining to the reconstruction and rehabilitation of sanitary sewers (S-4) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## **FIRE APPARATUS     2004 FIRE APPARATUS REPLACEMENT PROGRAM.**

Agenda Report No. 03-1030

The Fire Department heavy equipment fleet consists of 32 pieces of front-line equipment, including three aerials, two aerial platforms, 16 engines (pumpers), six quints, one heavy rescue, two mobile air trucks, one tender and one hazardous materials truck. To ensure service readiness at all times, accommodate training needs and maintain the City's fire insurance (ISO) rating, the fleet also includes seven reserve units, for a total of 39 fire heavy apparatus. With an average service life ranging from 10 to 20 years, several pieces of equipment must be replaced each year in order to maintain fire protection capabilities and keep the fleet current.

The Capital Improvement Program includes funds in 2004 to replace fire apparatus. Four apparatus are scheduled to be replaced, three quints and one aerial platform. Equipment is also required to properly equip these vehicles for fire protection services, such as fire hose, hose reels, rescue tools and hand-held lights. Project initiation is necessary at this time due to the lengthy lead time (approximately eight months) from order to delivery of fire apparatus.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 228

The estimated project cost is \$2,995,000. The funding source is General Obligation Bonds.

Motion--  
--carried

Mayans moved that the project and bonding resolution be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## RESOLUTION NO.03-531

A Resolution determining the advisability of making certain public improvements in the City of Wichita, Kansas and setting forth the general nature and the estimated cost of such improvements; authorizing and providing for the making and financing of the improvements in accordance with the findings of the governing body and directing the publication of the Resolution, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## PARK VILLA

### PARK VILLA ROOF REPLACEMENT. (DISTRICT IV)

Agenda Report No. 03-1031

Park Villa, located in North Riverside Park, is a historic structure built in 1912. Park Villa is constructed of reinforced concrete faced with cobblestones and a tile roof. It is a one-story building with a porch on all four sides. The name of the building is inscribed over the four entrances in black and white tile. The style of the building is Spanish Revival with a gabled roof and battlements at the ends of the gables. The exterior of Park Villa is faced with old cobblestones from City streets with trolley tracks down them.

In 2002, the City Council approved the use of federal Community Development Block Grant (CDBG) funds for deferred maintenance on publicly owned properties. These one-time projects included projects to repair and upgrade a number of park facilities. Park Villa roof replacement was originally included in the list of potential sites for use of CDBG funding. Due to funding limitations, the City Council approved \$55,000 in CDBG funds for the ADA improvements for Park Villa to ensure compliance with accessibility standards, but not the roof repairs.

Public Works Department has recently evaluated the roof of Park Villa in North Riverside Park and determined the roof to be in a seriously deteriorated condition. Water damage has occurred to rafters and soffits. This condition will worsen and needs to be replaced before winter. To prevent further damage, Public Works recommends the roof be replaced with tiles to match the existing roof.

The total estimated cost of the roof replacement is \$50,000. CDBG funds can be made available from savings from completed projects to fund the roof replacement.

City Council approval of the budget transfer is required.

Council Member Fearey

Council Member Fearey explained that the reason that she pulled this item was because it is a project to replace the roof tile of one of the City's historic buildings.

Motion--  
--carried

Fearey moved that the City Council approve the budget transfer of \$50,000.00 in CDBG funds for the Park Villa Roof replacement and that public works coordinate the project with the Historic Preservation planner to ensure that it is done to Historic Preservation standards. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 229

## BLOCK GRANT

### 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT.

Agenda Report No. 03-1032

The City has received notification that it is eligible to receive year 2003 Local Law Enforcement Block Grant (LLEBG) funding. This is the City's seventh year to receive funding under the LLEBG program. The federal award of \$166,519 requires a 10 percent local match of \$18,502. In the past, the City Council has approved the use of Narcotic Seizure funds for matching purposes. The total project budget will be \$185,021.

The LLEBG agreement states that before any obligation or expensing of funds can occur, an advisory board must be established and allowed to provide non-binding recommendations toward obligating and/or expensing of such funds. On October 2, 2003, the Advisory Board convened to make non-binding recommendations on the use of 2003 LLEBG funds. The Board approved 2003 LLEBG funding as follows: \$59,207 for Municipal Court service officers, and \$125,814 for police equipment and overtime. A public hearing is needed before obligation or expensing of LLEBG funds can occur.

Financial Considerations: The 2003 LLEBG federal award is \$166,519. The local match of \$18,502 will be funded from Narcotics Seizure funds.

A public hearing is needed before any obligating or expensing of LLEBG funds can occur.

Motion--  
--carried

Mayans moved that the LLEBG grant application and budget be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## SNOW/ICE BUDGET

### SNOW AND ICE BUDGET ADJUSTMENT.

Agenda Report No. 03-1033

The Adopted 2003 Snow and Ice budget appropriated \$85,790 for de-icing materials and miscellaneous other commodities. In March of 2003, a budget adjustment for an additional \$100,000 from the Street Maintenance budget was requested and approved by the City Council.

The City's three salt storage facilities (Central Maintenance Facility, West Substation, and Northeast Substation) were completely stocked at the end of 2002. However, eight snow and ice storms from late December through mid-March made it necessary to order additional material on numerous occasions. One of these storms, on Sunday, February 22nd, was the 3rd worst February snowstorm in Wichita history, which dumped 10+ inches of snow on the City. Material stockpiles were exhausted and materials (sand/salt, calcium chloride and straight salt) were ordered to replenish the supply.

Presently, the City's salt storage facilities are full, but funds for additional materials have been nearly depleted. With the onset of winter weather, additional salt and sand will undoubtedly be needed. It is imperative that adequate materials be kept on hand to ensure the safety of the traveling public.

The 2003 Snow and Ice commodities account currently have a balance of \$2,300. Each of the three salt domes holds 2,000 tons of material, and although storage facilities are currently full, the estimated cost to restock these facilities one time is \$125,000. To ensure that funds are available to respond to winter storms through the end of the year, it is requested that an additional \$125,000 be transferred from the Street Maintenance budget to the Snow and Ice budget to purchase materials as needed.

Funds are available in the Street Maintenance commodities budget to allow the requested transfer of funds to the Snow and Ice budget.

All budget adjustments over \$10,000 require Council approval.

Motion--  
--carried

Mayans moved that the budget adjustment of \$125,000 for 2003 snow and ice materials expenditures be approved. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 230

**PROPERTY ACQ.      2040-2139 SOUTH MEAD - PAWNEE RAIL SEPARATION PROJECT. (DISTRICT III)**

Agenda Report No. 03-1034

The Pawnee Rail Separation Project will require the full or partial acquisition of several tracts. One of the properties required in the 2000 and 2100 blocks of South Mead. This complex is owned by K-B Engineering. The site contains 190,500 square feet and is improved with three manufacturing buildings containing a total of 123,385 square feet. Two of the buildings, on the east side of Mead, will be removed for the grade separation project. Due to the loss of these buildings, the west building has no utility for the owner.

The property was appraised for the City at \$2,570,000. The owner's appraiser valued the property at \$3,100,000. The owner has agreed to accept the average of these two appraisals, \$2,835,000. The City will pay to relocate the owner's operations prior to the project. During the period between acquisition and relocation, the owner will lease the facility from the City.

The funding source will be a capital project utilizing temporary notes on an interim basis. A budget of \$6,045,000 is requested. This includes \$2,835,000 for the acquisition, \$3,150,000 for relocation, \$55,000 for demolition, and \$5,000 for closing costs and title insurance.

Motion--  
--carried

Mayans moved that the budget and the real estate purchase contracts be approved and the necessary signatures be authorized. Motion carried 7 to 0.

**PROPERTY ACQ.      PORTION OF 5827 SOUTH HYDRAULIC - HYDRAULIC IMPROVEMENT PROJECT. (DISTRICT III)**

Agenda Report No. 03-1035

South Hydraulic from MacArthur to 57th Street South was declared a major trafficway by City Council action on February 27, 2001. The improvements required to widen Hydraulic to four lanes, install a storm water drainage system, and place necessary landscaping will require the partial acquisition of twelve tracts. The eleventh of the twelve tracts to be acquired is a portion of 5827 South Hydraulic, owned by P J and Melinda Haynes. The property contains 2.7 acres and is presently used for commercial purpose.

The planned improvement of Hydraulic will require a 2,603 square foot strip of land adjacent to Hydraulic and a 300 square foot drainage easement. No improvements will be affected by the acquisition. An offer of \$3,500 has been accepted by the owner.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds. A budget of \$4,000 is requested. This includes \$3,500.00 for the acquisition, and \$500.00 for closing costs and title insurance.

Motion--  
--carried

Mayans moved that the budget and Real Estate Purchase Contracts be approved and the necessary signatures be authorized. Motion carried 7 to 0.

**TEMP. EASEMENT      TEMPORARY EASEMENT OVER A PORTION OF 132 NORTH WEST STREET FOR FIRST AND SECOND STREET WEST DRAINAGE OUTFALL. (DISTRICTS IV AND VI)**

Agenda Report No. 03-1036

On November 19, 2002, the City Council approved the project location and initiation of acquisition for the First and Second Street West Drainage Outfall project. The project will require the acquisition of several parcels of land and easements. One of the required easements is located at 132 North West Street. The parcel is owned by Dr. Kenneth Anderson and is developed with a medical office building.

The project will require construction staging on the north part of the property, including the parking lot,

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 231

for about three weeks. The drive to the property will be closed for approximately six week, necessitating access from the property to the south. The owner has agreed to grant the necessary easement in exchange for \$4,000.

Council action approved \$250,000 for acquisition for the project.  
The funding source is Storm Water Utility funds. A budget of \$4,000 is requested.

Motion--  
--carried

Mayans moved that the budget be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## ORDINANCES

### **SECOND READING ORDINANCES: (FIRST READ SEPTEMBER 16, 2003)**

a) Maple Street Improvements, 135th Street West to 119th Street West. (District V)

#### ORDINANCE NO-45-798

An Ordinance amending Ordinance No. 44-972 of the City of Wichita, Kansas, declaring Maple between 135th Street West and 119th Street West (472-83262) to be a main trafficway within the City of Wichita, Kansas; declaring that the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same. Mayans moved that the Ordinance be placed on its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

#### ORDINANCE NO.-45-779

An Ordinance amending Ordinance No. 45-506 of the City of Wichita, Kansas declaring Central Avenue, between Maize Road and Tyler Road (472-83659) to be a main trafficway within the City of Wichita, Kansas; declaring that the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same. Mayans moved that the Ordinance be placed on its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

b) ZON2003-36 - north of Central, east of Broadway. (District VI)

#### ORDINANCE NO. 45-800

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended. Mayans moved that the Ordinance be placed on its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

### **PLANNING AGENDA**

SUB2002-40

### **SUB2002-40-PLAT OF ERIN SPRINGS ADDITION, GENERALLY LOCATED EAST OF WEST STREET, NORTH OF MACARTHUR ROAD.**

Agenda Report No. 03-1048

This unplatted site, consisting of 1 lot (1.4 acres), is located in the County within three miles of Wichita's city limits. This site has been approved for a zone change (ZON 2002-37) to "LI" Limited Industrial District. Municipal water facilities are available. The site has been approved by County Code Enforcement for on-site sewer facilities.

A Petition (100%) was submitted for future extension of a sanitary sewer and a Certificate of Petition has been provided. Restrictive Covenants were submitted that prohibit non-domestic uses on the site

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 232

until public sewer is available. A Restrictive Covenant was also submitted tying this lot together with the adjoining property to the west. A Joint Access Easement extending to West Street has also been provided.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the Ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

Motion--

Mayans moved that the documents and plat be approved; the necessary signatures be authorized; the Resolution be adopted and the ZON2002-37 Ordinance be placed on first reading. Motion carried 7 to 0.

--carried

## RESOLUTION NO. 03-532

Resolution of findings of advisability and Resolution authorizing construction OF lateral 495, Southwest Interceptor Sewer (east of West Street, north of MacArthur) 468-83703, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON 2002-37

SUB2002-143

### **SUB2002-143-PLAT OF MARTIN ESTATES ADDITION, LOCATED SOUTH OF CENTRAL, WEST OF 151ST STREET WEST.**

Agenda Report No. 03-1038

This unplatted site, consisting of 36 lots (17 acres), is located in the County within three miles of Wichita's city limits.

The site has been approved by County Code Enforcement for on-site sewer and water facilities.

Petitions (100%) were submitted for future extension of sanitary sewer and water. A Certificate of Petitions was provided. Since this plat is located in an area where public services are planned to be available for higher density development, a Restrictive Covenant regarding lot bundling was submitted so the three building sites may be readily converted to urban-scale lots without replatting. A Joint Access Easement through Reece Road has also been submitted. Temporary off-site Cul-de-sac Dedications have been provided.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion--

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Resolutions adopted. Motion carried 7 to 0.

--carried

## RESOLUTION NO. 03-533

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89877 (south of Central, west of 151st Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 233

## RESOLUTION NO. 03-534

Resolution of findings of advisability and Resolution authorizing construction of Lateral 12, Northwest Interceptor Sewer 468-83697 (south of Central, west of 151st Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

SUB2003-59

### **SUB2003-59-PLAT OF STARBUCK'S ADDITION, LOCATED ON THE WEST SIDE OF WEST STREET, SOUTH OF MAPLE. (DISTRICT IV)**

Agenda Report No. 03-1039

This unplatted site, consisting of 1 lot (.68 acres), is located within the city limits. Municipal services are available to serve the site.

A Petition (100%) was submitted for paving improvements. A Certificate of Petition was provided. A Cross-lot Drainage Agreement has been provided.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petition and Cross-lot Drainage Agreement will be recorded with the Register of Deeds.

Motion--  
--carried

Mayans moved that the documents and plat be approved; the necessary signatures be authorized and the Resolution be adopted. Motion carried 7 to 0.

## RESOLUTION NO. 03-535

Resolution of findings of advisability and Resolution authorizing constructing a right turn lane on West Street to serve the driveway for the Starbuck's Addition (west of West Street, south of Maple) 472-83861, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

SUB2003-80

### **SUB2003-80-PLAT OF SEDGWICK COUNTY JUVENILE DETENTION CENTER ADDITION, LOCATED SOUTH OF KELLOGG, ON THE EAST SIDE OF HYDRAULIC. (DISTRICT I)**

Agenda Report No. 03-1040

This site, consisting of two lots (9.7 acres), is a replat of the Adolescent Addition and a portion of the Kellogg Terrace Addition.

Municipal services are available to serve the site. The site has been approved for a zone change (PUD #11) from "B" Multi-Family Residential District to "PUD" Planned Unit Development. A PUD Certificate has been submitted identifying the approved PUD and its special conditions for development on this property. A Joint Access Easement has been provided to establish a shared access opening with the adjacent property to the south.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Planned Unit Development Certificate and Joint Access Easement have been recorded with the Register of Deeds.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 234

Motion--  
--carried

Mayans moved that the documents and plat be approved; the necessary signatures be authorized and the first reading of the Ordinance be approved. Motion carried 7 to 0.

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210.

**SUB2003-87**

### **SUB2003-87-PLAT OF EMERSON ELEMENTARY ADDITION, LOCATED EAST OF MERIDIAN, ON THE NORTH SIDE OF 15TH STREET NORTH. (DISTRICT VI)**

Agenda Report No. 03-1041

This unplatted site, consisting of 1 lot (7.88 acres) is located within the City limits. The site is zoned "SF-5" Single-family Residential District. Municipal services are available to serve the site.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion--  
--carried

Mayans moved that the plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

**SUB2003-97**

### **SUB2003-97-A REPLAT OF ECK SEVENTH ADDITION, LOCATED ON THE SOUTH SIDE OF CENTRAL, EAST OF 183RD STREET WEST.**

Agenda Report No. 03-1042

This site, consisting of 6 lots (30.21 acres), is a replat of Lots 4-9, Block A, of Eck Seventh Addition and is located within three miles Wichita's city limits. The plat is zoned "RR" Rural Residential District.

The site has been approved by the County Code Enforcement for the use of on-site sewer water facilities. Paving improvements have been completed.

Motion--  
--carried

Mayans moved that the plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

**DED2003-20**

### **DED2003-20-DEDICATION OF STREET RIGHT-OF-WAY FOR PROPERTY LOCATED WEST OF WEST STREET, SOUTH OF CENTRAL. (DISTRICT IV)**

Agenda Report No. 03-1043

This Dedication is a requirement of a lot split (Case No. SUB2003-95).

This Dedication is being submitted for additional street-right-of-way along Newell Street. The dedication has been reviewed and approved by the Planning Commission.

The Dedication will be recorded with the Register of Deeds.

Motion--carried

Mayans moved that the Dedication be accepted. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 235

SUB2003-95

**STREET IMPROVEMENT AGREEMENT FOR LOT SPLIT NO. SUB2003-95, LOT 1, BLOCK 7, PARKWILDE ADDITION, LOCATED WEST OF WEST STREET, SOUTH OF CENTRAL. (DISTRICT IV)**

Agenda Report No. 03-1044

This No Protest Agreement is for the paving of Newell Street.

The Lot Split will allow for the creation of an additional lot zoned "SF-5" Single-Family Residential District. This Agreement assures the City of Wichita that this property will be included in the paving improvements and that the owners have waived their right to protest said paving improvement.

The No Protest Agreement will be recorded with the Register of Deeds.

Motion--carried

Mayans moved that the Agreement be approved. Motion carried 7 to 0.

VAC2002-00044

**VAC2002-00044-REQUEST TO VACATE A PORTION OF A PLATTED SEWER EASEMENT LOCATED EAST OF OLIVER STREET AND BETWEEN SECOND AND THIRD STREETS. (DISTRICT II)**

Agenda Report No. 03-1045

The applicant proposes to vacate a portion of a platted sewer as dedicated on the Robinson Junior High Addition, which was recorded with the Register of Deeds 04-14-1978.

USD 259, as part of an expansion and improvement project to Robinson Middle School, proposes to build a school building on what is now part of the schoolyard. The building will encroach over a portion of the platted 20-foot sewer easement, as shown on the exhibit. There is sewer in the easement.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Relocation of the sewer and any other utilities will be at the expense of the applicant

Motion--  
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2003-00024

**VAC2003-00024 REQUEST TO VACATE ALLEY LOCATED NORTHEAST OF THE 13TH STREET NORTH-MOSLEY AVENUE INTERSECTION. (DISTRICT I)**

Agenda Report No. 03-1046

The applicant is requesting consideration to vacate the entire 16-foot wide, north to south alley that intersects 15th Street North and 14th Street North and abuts Lots 1-48 Washington Addition. The Washington Avenue Addition was recorded with the Register of Deeds in October 1885.

There is an existing encroachment on the north end of the alley. Proposed expansion of L'Ouverature Elementary will create more encroachments. The applicant owns all abutting properties. The alley is not used for access, it is currently a schoolyard. There is sewer and manholes in the length of the alley. There is no water or other utilities in the alley.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order and the original copy of the applicant's agreement to retain the

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 236

sewer and manholes in the vacated alley as private utilities will be recorded with the Register of Deeds

Motion--  
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

**VAC2003-00030**

**VAC2003-00030 REQUEST TO VACATE THE USES OF A PORTION OF A PLATTED RESERVE LOCATED NORTHEAST OF THE 45TH STREET NORTH-ROCK ROAD INTERSECTION. (DISTRICT II)**

Agenda Report No. 03-1047

The applicant is requesting consideration for the vacation of the uses of a 0.06-acre portion of platted Reserve C, which abuts the east side of Lot 38, Block 7, Sawmill Creek Addition. The Sawmill Creek Addition was recorded with the Register of Deeds 01-25-01.

The uses that Reserve C has been set aside for include irrigation, walls, walks, lighting, drainage and drainage structures, and utilities confined to easements. The Reserve is owned and maintained by the Home Owners Association for the Addition. The applicant requests the vacation to allow for more building square footage; to build a garage, which is permitted accessory structure in the "SF-5" Single-family residential zoning district, which is where the site is located in. There are no sewer, water, or other utilities in this portion of the Reserve. Storm Water has not protested the vacation of the uses of the described portion of Reserve C. The applicant has provided a letter from the President of the Home Owners Association supporting the vacation request.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order and a Restrictive Covenant will be recorded with the Register of Deeds

Motion--  
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

**VAC2003-00040**

**VAC2003-00040 REQUEST TO VACATE EASEMENT DEDICATED BY SEPARATE INSTRUMENT LOCATED SOUTHWEST OF THE WEST STREET-THIRD STREET INTERSECTION. (DISTRICT IV)**

Agenda Report No. 03-1048

The applicant is requesting vacation of the east 5-foot of the 16-foot easement that was dedicated by separate instrument. The dedication is recorded in Book 456, Page 341, with the Register of Deeds. The Park Wilde Addition was recorded with the Register of Deeds 03-04-1887.

An existing garage and an existing house encroach into the easement. To clear the title for the sale the property, these encroachments must be removed. There is sewer in the easement. Existing structures west of the easement prevent dedication to equal a 20-foot easement, which is the current minimum width for Public Works' easements. Dedication of 5-feet to the west side of the easement will allow the easement to remain 16-feet.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds and dedication, by separate instrument, of 5-feet to the west side of easement as recorded in Book 456, Page 341, with the Register of Deeds.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 237

Motion--  
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

**VAC2003-00041**

**VAC2003-00041 REQUEST TO VACATE PLATTED ALLEY ROW LOCATED NORTHWEST OF THE HILLSIDE AVENUE-PAWNEE AVENUE INTERSECTION. (DISTRICT III)**

Agenda Report No. 03-1049

The applicant is requesting vacation of the platted 20-foot wide alley that abuts the west and north side of Lot 1 and the north side of Lot 2, all in the G.L. Cook Addition. The alley was platted on the G.L. Cook Addition. The G.L. Cook Addition was recorded with the Register of Deeds 03-16-1956.

The alley is not developed and extends into another platted, undeveloped 20-foot wide alley that intersects Hillside. There is sewer in the alley ROW. There is Westar equipment in the alley ROW. The applicant has obtained the signatures of all abutting and adjacent property owners, agreeing to vacate the alley. Reversion of the alley to private property will go to the owners of Lots 1 & 2, G.L. Cook Addition; the applicant.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order and dedication of 10-foot sidewalk easement by separate instrument will be recorded with the Register of Deeds. Retain the vacated alley as a utility easement and cross lot access easement.

Motion--  
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

**DR02-01**

**DR02-01: TWELVE-MONTH REVIEW OF A MORATORIUM ON THE PROCESSING OF CERTAIN PERMITS FOR CERTAIN PROPERTIES IN THE HISTORIC MIDTOWN NEIGHBORHOOD PLAN AREA. (DISTRICT VI)**

Agenda Report No. 03-1050

On May 14, 2002, the Wichita City Council adopted a moratorium on the processing of certain permits for certain properties in the Historic Midtown Neighborhood Plan area described as the area bounded by 18th on the north, the UP/BNSF Railway to the east, Murdock to the south and the Arkansas River to the west. The Historic Midtown Neighborhood Plan boundaries are described above. The moratorium was adopted for a period of up to one (1) year, subject to review after six months, with a determination by the City Council of the length of time for continuation of the moratorium and/or modification of any of its provisions. It has now been twelve months since the moratorium was adopted.

The area within the scope of the moratorium includes certain properties zoned commercial currently used for residential purposes. The intent of the moratorium is to protect the neighborhood from non-residential encroachment while the Steering Committee of the Historic Midtown Neighborhood Plan is afforded an opportunity to develop the neighborhood plan. The moratorium applies to the processing and granting of building permit applications for new non-residential construction or additions on lots zoned commercial or industrial of predominantly residential character.

The moratorium was adopted to protect those established residential areas of the Midtown neighborhood from incompatible uses or development that could otherwise be allowed under existing industrial or commercial zoning that may ultimately be determined inappropriate. In addition, the moratorium was adopted to provide City Staff adequate time to continue working with neighborhood stakeholders in the development of the rezoning initiative. The moratorium was also adopted to ensure that new development during this time occur in a manner that is compatible with the reuse possibilities associated with the abandoned UP rail right-of-way extending from Murdock Street to 15th Street and

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 238

Broadway. This Corridor represents a significant planning element of the Historic Midtown Neighborhood Plan, and the City desires to ensure a full range of planning options for those lands located within this segment of abandoned right-of-way.

The moratorium included the following provisions:

1. Moratorium on the processing and granting of building permit applications for new non-residential construction or additions on lots zoned commercial or industrial, within certain predominantly residential areas.
2. Moratorium on the processing and granting of building permit applications for all conversions of residential structures, and on all demolition permit applications for residential structures within the Historic Midtown Neighborhood Plan Area;
3. Moratorium on the processing and granting of building permit applications for new construction or additions on all property located within the abandoned UP Rail Right-of-Way between Murdock St. and 15th St. and Broadway.

On November 19, 2002, City Council approved to continue the moratorium on building permits, conversions and demolitions as stipulated in Resolution 02-233 for one full year from the adoption date of said resolution to give the Historic Midtown Neighborhood Plan Steering Committee time to continue to develop the neighborhood plan within a reasonable timeframe.

The land use concept has been completed, and six standing subcommittees have provided recommendations for the formulation of goals and objectives.

The draft neighborhood plan has been completed and is currently open to community input, review and comment.

A survey of businesses has been conducted and results have been tallied.

The neighborhood plan is nearing completion and the community is engaging in an active dialogue on its contents. There is general consensus on the land use concept and on the manner in which the community should be redeveloped. It is now possible to provide analyses and recommendations to individual zoning and redevelopment cases. While the moratorium was intended to provide time to develop policies and recommendations, these have been developed and the moratorium is no longer needed.

Neither the continuation nor the expiration of the moratorium itself involves no additional funding on the part of the City.

The City has the authority to establish a development moratorium for specific purposes and a limited time, which was set forth in the resolution establishing the development moratorium. Furthermore, the City also has the authority to extend the moratorium for an additional 6 to 12-month period, or other reasonable time period.

Motion--  
--carried

Mayans moved that the expiration of the Development Moratorium in its current form be allowed.  
Motion carried 7 to 0.

**A03-22**

**A 03-22-REQUEST TO ANNEX LAND LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF 29TH STREET NORTH AND MAIZE ROAD. (DISTRICT V)**  
(This Item was pulled from the Agenda)

**A03-23**

**A 03-23-REQUEST TO ANNEX LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF THE KANSAS TURNPIKE AND SOUTH GREENWICH ROAD. (DISTRICT II)**

Agenda Report No. 03-1052

The City has received a request to annex 49.45 acres of land situated near the southwest corner of the

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 239

intersection of the Kansas Turnpike and S. Greenwich Road. The annexation area abuts the City of Wichita to the east, north, and west of the property. The property owner seeks to develop the property as 160 single-family residential lots and 16,000 square feet of office units. The applicant is undertaking the process for a replatting of the property. It is anticipated that the site will be fully developed for residential use in five years. The applicant plans to request General Office "GO" and Single Family "SF-5" zoning for the proposed annexation.

Land Use and Zoning: The annexation area is presently vacant and zoned "SF-20" Single Family Residential. The properties adjoining the proposed annexation area to the east are in agricultural use and zoned "SF-5" Single Family Residential. The lands adjoining the proposed annexation to the south are zoned "SF-20" Single Family and currently in agricultural use. Lands directly to the west of the proposed annexation area are currently in residential use and zoned "SF-5" Single Family Residential. Lands to the north are zoned General Commercial "GC" and currently vacant. Lands directly to the north east of the proposed annexation area are zoned Single Family Residential "SF-5" and currently in residential use.

Public Services: Both public water and sewer service are currently available to the property. The property has access to public water service by way of a twelve-inch waterline running along Greenwich Road. Public sewer service is available by way of a sewer line running along Morris Street to the southwest of the proposed annexation.

Street System: The subject property has frontage along Greenwich Road, a two lane paved arterial.

Public Safety: Under the City-County first response agreement, fire services to this site currently can be provided within an seven (7) to eight (8) minute approximate response time from City Fire Station #15 located at 7123 E Lincoln. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 South Edgemoor.

Parks: W.B. Harrison Park, a 40-acre park, a bike pathway is proposed half a mile to the south along Harry Street in the 1996 Parks and Open Space Plan.

School District: The annexation property is part of the Unified School District 259 (Wichita School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with current amendments to the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2010 Wichita Urban Service Area as shown in the Plan.

The current approximate appraised value of the proposed annexation properties is \$33,580 with a total assessed value of \$1,074. Using the current City levy ( $\$31.406/\$1,000 \times$  assessed valuation), this roughly yields \$151.54 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any redevelopment and the current mill levy. However when development is completed, the property owner projects an overall appraised value of \$14,400,000 for residential use and \$2,966,280 for commercial use, resulting in a combined assessed valuation of \$17,366,280. Assuming the current City levy remains about the same, this would roughly yield \$538,354 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--  
--carried

Mayans moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

## ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A03-23

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 240

## AIRPORT AGENDA

### AIRPORT

#### U.S. DEPT. OF AGRICULTURE AGREEMENT.

Agenda Report No. 03-1053

In 2000, the WAA entered into an agreement with the U. S. Department of Agriculture/Wildlife Services to provide funding for one specialist to assist the WAA in resolving wildlife issues at Wichita Mid-Continent and Jabara Airports. This agreement has been renewed annually for the past years.

Wildlife Services prepared a cooperative services agreement to collect biological assessment information, provide continuous wildlife management assistance to Airport personnel and assist Airfield Operations and Maintenance personnel by responding directly to known wildlife nuisances and hazards.

The cost estimate for the services provided is \$43,101 for the period October 1, 2003 through September 30, 2004. One specialist will be assigned to the project for approximately 32 hours per week. Work hours will vary to most appropriately interact with wildlife management issues. Funds are included in the operating budget.

The Agreement has been approved as to form by the Department of Law.

Motion--  
--carried

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

### AIRPORT

#### SUPPLEMENTAL AGREEMENT NO. 1-CESSNA AIRCRAFT COMPANY-CESSNA CITATION SERVICE CENTER BOND LEASE.

Agenda Report No. 03-1054

On May 14, 2002, a bond resolution and documents associated with the issuance of Airport Special Facility revenue Bonds in an amount of approximately \$49.3 million were approved for Cessna Aircraft Company. Included in the documents approved, was a lease agreement between Cessna and the Wichita Airport Authority, which outlined a rent schedule for 123.034 acres of land required for the construction of the Cessna Citation Service Center and amenities.

Construction of the 450,000 square foot service center on airport land located on Hoover Road north of K-42 highway is under way. In order for Cessna to better operate the new service center and provide internal vehicle access from the factory to the service center, it is necessary that the lease be amended to add two tracts of land. Tract 10A contains 35,000 sq.ft. and Tract 10B contains 22,500 sq.ft. of land (1.32 acres total). Cessna has requested an amendment to the bond lease to add this land to the rent schedule.

Revenue to the WAA during the first year is \$2,300. Land rent increases at the rate of five percent each five years over the term of the lease.

The supplemental agreement has been approved as to form by the Department of Law.

Motion--  
--carried

Mayans moved that Supplemental Agreement No. 1 be approved and the necessary signatures be authorized. Motion carried 7 to 0.

### AIRPORT

#### UNITED AIRLINES-AIRLINE USE AGREEMENT-S.A. NO. 3

Agenda Report No. 03-1055

The Wichita Airport Authority has a uniform lease and use agreement with the passenger carrying airlines serving Wichita Mid-Continent Airport. Changes requested by an airline which are unique to

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 241

that particular airline, are incorporated by amendment.

United Airlines is interested in relocating its ticket counter, office, and bag makeup space to another area to improve the space available for United's luggage screening process.

Annual revenue to the WAA for space leased by United is \$125,588. Relocation will result in a minor decrease in revenue of \$6,915.

The Law Department has approved the Supplemental Agreement as to form.

Motion--  
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## AIRPORT

### **FAA MASTER SITE LEASE SUPPLEMENT NO. 4-COLONEL JAMES JABARA AIRPORT LEASE NUMBER DTFA09-89-L-10194.**

Agenda Report No. 03-1056

The WAA has entered into Master Site Leases with the FAA for both Mid-Continent and Jabara Airports. These leases identify locations and types of equipment installed, monitored, and maintained by the FAA.

Supplement No. 4 is for use of land by the FAA to construct, operate, and maintain a Medium-intensity Approach Lighting System with Runway Alignment Indicator Lights (MALSR) for Runway 18, and Localizer/Distance Measuring Equipment (LOC/ME) and Glide Slope (GS) for Runway 18 at Jabara Airport. The instrument installation will create a precision approach service for RW 18 at Jabara.

There are no monetary considerations.

The Supplements has been approved as to form by the Department of Law.

Motion--  
--carried

Mayans moved that Supplement No. 4 be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## AIRPORT

### **FARMING LICENSE-JABARA AIRPORT.**

Agenda Report No. 03-1057

On April 8, 2003, a project was approved to purchase 26.6 acres of land situated within the runway protection zone and the runway approach protection zone at Jabara Airport. The land is located at 45th Street North and Greenwich Road, and was acquired to prevent further development in this protected area. The land is zoned Rural Residential and was in agricultural use at the time of purchase.

The crop grown on the acquired property is brome grass. Recommendations provided by the U. S. Department of Agriculture/Wildlife Services indicate that this crop is compatible with airport operations because it is not a large wildlife attractant. This three-year license reflects an agreement with the existing operator to continue farming this land, and includes a 30-day option by either party to cancel the agreement.

Motion--  
--carried

Mayans moved that the farming license be approved and the necessary signatures be authorized. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 242

## AIRPORT

### AIRPORT SECURITY-CAPITAL PROJECT WICHITA MID-CONTINENT AIRPORT.

Agenda Report No. 03-1058

City Council has approved a project and grant funds for security improvements. The project includes the Airport Public Safety Building Expansion and CCTV Upgrade, Finger Print System, Patrol Vehicle, Guard Shacks & costs directly associated with the events September 11,2001.

The project budget needs to be adjusted to reflect the total amount of the project and identify the correct allocation of funding sources.

The total cost of the project is \$3,225,765. Ninety-two percent of the project will be paid with approved FAA grants, six percent will be paid with Passenger Facility funds, and the remaining two percent will be paid with Airport Revenue.

Motion--carried

Mayans moved that the project budget and budget adjustments be approved. Motion carried 7 to 0.

## AIRPORT

### REQUEST FOR AMENDED LETTER OF INTENT AND RESOLUTION FOR ISSUANCE FOR ISSUANCE OF SPECIAL AIRPORT FACILITIES REVENUE BONDS-FLIGHT SAFETY INTERNATIONAL. (DISTRICT V)

Agenda Report No. 03-1059

On December 18, 2001, the Wichita Airport Authority approved a six-month Letter on Intent to FlightSafety for the issuance of Special Airport Facilities Revenue Bonds in an amount not-to-exceed \$2.5 million. The revenue bonds will be used to finance the construction of a building expansion at the FlightSafety International Center located on Airport Road at Wichita Mid-Continent Airport. The construction has been completed and the company is ready to proceed with the issuance of the Bonds. The next step in the bond issuance process is the adoption of a resolution relating to the issuance of bonds, which provides for the publication of notices and makes a finding that project income will be sufficient to retire indebtedness. In addition, FlightSafety is requesting City Council amend the December 18, 2001, Letter of Intent to increase the not-to-exceed amount by an additional \$1 million. The proposed amended amount of the Letter on Intent is not-to-exceed \$3,500,000.

FlightSafety International, Inc. was organized in 1951, and purchased by Berkshire Hathaway Inc., in December 1996. FlightSafety provides training for operators of aircraft and ships. Training activities include advanced training of pilots, air traffic control procedures and new aviation developments. Training is provided both in the private (Cessna, Learjet, Raytheon) and public sectors (U.S. Air Force and U.S. Navy). In addition to aircraft training, FlightSafety provides necessary training to allow pilots to obtain licenses for operation of large oceangoing vessels. FlightSafety also offers maintenance training for certain aircraft.

The expansion consists of construction a building addition and the acquisition of seven new flight simulators. Only the building addition is being financed with Airport Special Facility Revenue Bonds. The proposed increase of \$1 million will allow for an increase in building costs. The simulators will be financed with the issuance of City industrial revenue bonds later this year.

Payment of the bonds will be guaranteed by Berkshire Hathaway. The City has received copies of Berkshire Hathaway's audited financial statements for the year 2002. Based on this, Staff has determined that revenues available from the project will be sufficient to cover bond payments. FlightSafety agrees to pay all costs relating to issuance of the bonds.

Bond documents required for the issuance of the bonds will be prepared by Hinkle Elkouri Law Firm, L.L.C., bond counsel.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 243

Motion--

Mayans moved that the amended Letter of Intent to FlightSafety be approved; the Resolution relating to the issuance of Taxable Airport Special Facilities Revenue Bonds for FlightSafety International in an amount not to exceed \$3.5 million be adopted and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

## RESOLUTION NO. A-03-011

A Resolution relating to the issuance of not to exceed \$3,500,000 Airport Special Facilities Revenue Bonds – FlightSafety International, Inc., presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

## HOUSING AGENDA

Inafay Grays-McClellan, Housing Member is also seated with the City Council.

## HOUSING

### PUBLIC HEARING-FIVE YEAR AND YEAR 2004 ANNUAL AGENCY PLANS.

Mark Stanberry

Housing Services Director reviewed the item.

Agenda Report No. 03-1060

On October 21, 1998, the Quality Housing and Work Responsibility Act of 1998 (QHWRA) was signed into law as part of the FY 1999 Appropriations Bill. One provision of the Act is the mandate for public housing authorities to prepare a five-year plan showing the needs and goals for that period (updated every five years) and a more detailed annual operating plan. The annual plan must include, among other things, information on the housing needs of the locality, population served, method of rent determination, operation policies and procedures, capital improvements, unmet housing needs of families with income less than 30 percent of median income, homeownership efforts and efforts to coordinate programs and other items.

Section 511 of the QHWRA requires the board of directors of housing authorities to conduct a public hearing to discuss the housing authority plans and to invite public comment regarding the plans. In the event that the Housing Authority Board receives public comment, written or oral, which is deemed significant enough to amend the plans, the Housing Authority Board may amend the plans and certify the plans as amended. After the Housing Authority Board has considered comments submitted at the hearing and approve the WHA Five-Year and Year 2004 Annual Plans, subject to any amendments, the WHA staff will transmit the policies and programs via an electronic template for submission.

The certification of the Five-Year Plan and the Year 2004 Annual Plan is required for compliance with the Quality Housing and Work Responsibility Act of 1998.

The 2004 Capital Fund Budget is a part of the 2004 Annual Plan and represents the official approval of the Wichita Housing Authority's Governing Board.

Motion--

Mayans moved that the Resolution H 03-05 relative to the required certifications for submission of the Wichita Housing Authority Five-year Plan and the 2004 Annual Plan be adopted and the necessary signatures be authorized. Motion carried 8 to 0.

--carried

## SECTION 8

### SECTION 8 MONTHLY STATISTICAL REPORT.

Agenda Report No. 03-1061

The Section 8 Housing Assistance program provides rent and utility assistance through vouchers and certificates. The Section 8 Housing Choice Voucher Program provides subsidy vouchers to tenants based upon a rent set by the landlord and tenant, with an upper rent limit set by Housing and Urban Development (HUD). Portable voucher options are provided to families that have received a Housing

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 244

Choice Program Voucher and have elected to utilize their rental assistance in another state or a city within Kansas.

The Shelter Plus Care Program provides rental assistance to the hard-to-house homeless families who are chronic substance abusers, mentally ill or have AIDS or AIDS related illnesses. This program consists of 102 coupons to assist eligible families that are eligible for all bedroom sizes.

The Moderate Rehabilitation program was established to upgrade substandard rental housing and provide rental assistance for lower-income families. This program consists of fifty-eight (58) units owned and operated by Helping Our People Economically (HOPE), Inc. that are eligible for studios, one, and two bedrooms units.

Section 8 works with approximately 700 landlords and is approved by HUD to administer 2,663 voucher allocations for tenants.

Housing units must be inspected prior to tenant occupancy, 120 days after occupancy and annually thereafter to ensure the landlord is maintaining the housing unit in compliance with housing standards. Section 8 is also required to perform exit inspections to ensure no damage occurred above the customary living usage.

Following is a breakdown of assistance provided through the Section 8 Program for August 2003.

Program	Number Allocated	Number Committed	Over (Under) Annual Lease- Committed Up	Annual Rate
Housing Choice Voucher	2366	2471	105	2471
Shelter Plus Care	102	110	8	
Moderate Rehabilitation	58	33	(25)	
Portable Vouchers	44	44	0	
TOTAL	2570	2658	88	104.4%

Due to many variables such as voucher and certificate holders finding and leasing a property that does not require the maximum subsidy, Housing Services is able to assist additional units and remain within budget.

Motion--carried

Mayans moved that the Report be received and filed. Motion carried 8 to 0.

## PUBLIC HOUSING

### PUBLIC HOUSING CAPITAL IMPROVEMENTS.

Agenda Report No. 03-1062

The Wichita Public Housing Authority (WHA) rents publicly owned housing to low-income households at an affordable rate based upon income and family size. Rent is based upon 30 percent of the household adjusted gross income. The WHA owns various single-family houses, primarily located in the inner City, and four apartment complexes: Greenway Manor, McLean Manor, Rosa Gragg and Bernice Hutchinson. WHA receives additional funding from Housing and Urban Development (HUD) to improve the physical condition of the public housing properties through renovation and rehabilitation.

The City of Wichita Housing Authority (WHA) administers a Capital Fund Program for all necessary capital improvements and corrections of deficiencies in the public housing rental inventory. The inventory includes 226 elderly-disabled apartments and 349 single-family dwellings. The Program is also used to upgrade the management facilities of the WHA to assure the ability of staff to serve the housing needs of low-to-moderate income families. The report covers the current status of all Capital Fund improvement projects.

# CITY COUNCIL PROCEEDINGS

JOURNAL 179

OCTOBER 7, 2003

PAGE 245

The 2002 Capital Fund grant is in the amount of \$1,159,577. To date, HUD has not made the final formula allocations for the 2003 Capital Fund Grant; however, an initial increment has been computed in the amount of \$901,220. HUD has advised staff that the WHA will ultimately receive an amount within 6% of the 2002 allocation. The 2003 through 2006 budgeted amounts are estimated on the basis of the 2002 grant amount.

Motion--carried      Mayans moved that the Report be received and filed. Motion carried 8 to 0.

## **EXECUTIVE SESSION**

Motion--      Mayans moved that the City Council recess into executive session beginning at 12:30 p.m.. to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to: pending litigation, potential litigation and legal advice and that the council return from executive session no earlier than 12:50 P.M. and reconvene in the City Council chambers. Motion  
--carried      carried 7 to 0.

RECESS      The City Council recessed at 12:10 p.m. and reconvened in the Council Chambers at 12:50 p.m.

Mayor Mayans      Mayor Mayans announced that no action was necessary as a result of the executive session.

Adjournment      The City Council meeting adjourned at 12:52 P.M.

Karen Schofield  
City Clerk